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THIS ISSUE of *The Nation* is a challenge and a reply. It is a challenge to the power interests of the country that have exploited for their own benefit our richest resources, and it is a reply to those critics who frequently charge that progressives are impractical idealists. The power program presented by the experts in this issue is as practical as an electric-light bulb. Senator Norris and H. S. Raushenbush draw an indictment against the power interests whose justice no man can deny. These interests have not only made inordinate profits in recent years by the formation of great holding companies, but they have bought newspapers, college professors, and politicians in order to stifle public criticism of their policies. They have branded the leading advocates of public ownership as dangerous citizens, and have defeated almost every attempt at effective regulation. What can the consumers do about it? We believe that they will ultimately recognize the wisdom of public ownership as a national policy, but for the present a preliminary program of State and federal legislation is necessary to correct the worst abuses in the industry and to permit progressive communities to advance on their own initiative. As the federal part of this program we advocate the Couzens bill, as outlined by Drew Pearson, provided

that it does not involve making the consumer pay rates on the basis of the excessively high prices which the holding groups have paid to acquire operating companies; in the State and local fields we submit the Wisconsin plan, as described by Alvin C. Reis, and the New York plan, as described by Samuel I. Rosenman. Now, when the power lobby is discredited and on the defensive, is the logical time for all American progressives to fight for such a program.

WE SHARE MR. HOOVER'S feeling of outrage over the propaganda against naval reduction by William B. Shearer, which the latter charges was financed by American shipbuilding firms. Until recently Mr. Shearer was known as a big-navy advocate, supposedly expressing his own opinions on an all-important question of national policy. He had been putting his ideas before the public in interviews, articles, and a book. He went to President Coolidge's naval arms conference at Geneva, where he was responsible for a large amount of propaganda hostile to reduced armaments; later he appeared in Washington in behalf of the fifteen-cruiser bill. However mischievous his opinions, Mr. Shearer had a right to express them if he was speaking in his own behalf or for somebody else whose name he made public. But it appears that he was doing neither. He has filed a suit against the Bethlehem Shipbuilding Corporation, the Newport News Shipbuilding and Dry Dock Company, and the American Brown Boveri Electric Corporation, alleging a promise to pay him some \$300,000, of which only \$50,000 has been forthcoming. If this statement is accurate it completely discredits Mr. Shearer and brands three important shipbuilding firms as engaged in the same kind of dishonest and contemptible effort to mislead public opinion as has already been exposed in connection with the power interests. Incidentally, we have fresh proof of how exceedingly profitable this business of deceiving the public is, and what a high price the armament makers can afford to pay to keep the pot boiling.

MR. HOOVER'S ADROIT ATTACK upon the Shearer propaganda means that the Senate will have to investigate the subject. Even before the President spoke, Senator Borah had asked the Committee on Naval Affairs to make an inquiry, saying that if it failed to do so he would try to get the Foreign Affairs Committee, of which he is the chairman, to dig into the scandal. Nothing short of a searching hearing can now satisfy the public. The explanations of the shipbuilding companies are neither adequate nor convincing. The excuse that they hired Mr. Shearer, but not to work against naval reduction, is not good enough. Business firms do not pay a man \$50,000—not to say promise, as Mr. Shearer alleges, six times that amount—without expecting substantial financial benefits in return. The Shearer scandal, following the facts brought out in regard to crooked power propaganda, ought to waken the public to similar dangers all along the line and should help to clarify thought on this subject. Propaganda, as we have said, is legitimate; it is no less so when paid for and delegated than when done directly and

for nothing. But propaganda is only legitimate when the public is fully informed in regard to those for whom it is made. Incidentally, we think some of our peace advocates might read the signs of the times, and make clearer the sources of their support.

SECRETARY STIMSON having given the approval of the Administration to the Root formula for our entrance into the World Court, the issue will come before Congress again presently, but it remains to be seen whether our legislators will be satisfied. Mr. Root's formula is a bit of clever legerdemain, questionable on theoretical grounds though it might work in practice. It says, in effect, that if some other nation insists upon an advisory opinion from the court against the wishes of the United States, the latter may resign. As the United States would have that privilege at any time anyhow, the sole gain seems to be that under the Root formula this nation would leave by prearrangement instead of subjecting itself to the charge of picking up its blocks and going home in a huff. More satisfactory than the acceptance of the Root formula by Mr. Stimson and the conference of the World Court members at Geneva was the announcement there that France, Great Britain, and Greece would sign the "optional clause" of the tribunal's constitution—already accepted by Germany. This provision should more correctly be styled the "obligatory clause," because it pledges the signers to accept arbitration of all legal questions within the court's jurisdiction. Acceptance of the clause by all the large Powers would be a real milestone in the progress of arbitration. It should be chronicled with approval, too, that at the session of the Assembly of the League of Nations at Geneva representatives of France, Finland, and Greece promised to work for the ratification by their parliaments of the general act of the covenant for the compulsory arbitration of all disputes. On top of this half a dozen countries, led by Great Britain, went on record as favoring a revision of the covenant so as to put further restrictions upon making war. We hope to see this proposal advanced from the stage of rhetoric to that of action.

WHEN "YOUNG TEDDY" ROOSEVELT arrives in Porto Rico as its Governor he will find himself in a political bear's den. Five years ago, confronted by the growing power of the Socialists, Antonio R. Barceló, leader of the Unionists, and José Tous Soto, head of the Republicans, struck hands in an alliance. The Unionists had stood for the independence of the island—without exactly meaning it—while the Republicans favored statehood within the United States. The Alianza swept Porto Rico five years ago, but last year barely held the legislature against the assaults of the Socialists—actually a labor party—led by the veteran Senator Santiago Iglesias. When President Hoover took office last spring a delegation, of which Barceló and Iglesias were members, set sail for Washington to present a bi-partisan demand for the retention of Governor Towner in office. Tous Soto stayed at home. While the delegation was en route Mr. Hoover apparently decided on the appointment of "Young Teddy," and asked Felix Cordova Davila, resident commissioner for Porto Rico in Washington, to sound local sentiment. He cabled to Tous Soto, and the island's *políticos*, sensing the appointment as already made, hastened to climb aboard the bandwagon by saying

that they liked "Young Teddy" fine. Don Antonio went back to Porto Rico raging that he had been "double crossed," called his Unionist followers together, and they read themselves out of the Alianza. It is said that the Unionist Party—that of the landowning and wealthy classes—now plans a coalition with the Socialists. Iglesias, that highly astute practical politician who leads the latter group, has not said yet what he plans. In any event, "Young Teddy" is likely to find himself in a political menagerie the back-biting of which will make the manners of the pandas he captured in Asia seem as mild as those of mice.

THE "RICH MAN'S DELIGHT" is the appropriate label for the new \$500,000,000 issue of short-term Treasury certificates which has just been offered with the special feature of exemption from *all* income taxation—from surtaxes as well as from normal income taxes. This total exemption was made possible under a resolution sponsored by Secretary Mellon and passed by Congress before the recess. As we pointed out in an editorial, Mr. Mellon's Bad Bill, in *The Nation* of June 19, the economic and social consequences of this new policy are most undesirable. It is in direct conflict with a sound Treasury policy, long established and well tried. Even in the enormous stress of financing the World War the Government was most reluctant to exempt federal obligations from any but normal taxes, and as a matter of fact only a small portion of some \$25,000,000,000 worth of federal securities issued in that period was so favored. For it was recognized then, and is as true today, that tax-free securities automatically nullify the progressive features of our income tax; they enable the rich to evade—in a nice, legal way—the higher taxes in the upper brackets. No wonder, therefore, that the present issue was heavily oversubscribed in the amazingly short time of three days—and this despite the prevailing tightening of the money market. There is little doubt that our wealthy citizens are keenly appreciative of this generous treatment from Mr. Mellon and would like to see him continue to grant full tax exemption in all future issues of securities—his expressed purpose. But such action, if continued, would put an end to progress toward a just and scientific income-tax policy.

A GOOD OLD-FASHIONED coal-and-iron police chief is likely to shout, as justification of his violence: "This is not a strike; this is a riot." Thereby, to his own complete satisfaction, he rules out all consideration of the motives that lead angry, hungry men and women to the picket-line. It is strange to hear Britain's Labor Prime Minister using similar language in referring, at Geneva, to the Arab outbreak in Palestine.

There is no racial conflict in what happened in Palestine the other day [said Ramsay MacDonald]. . . . This is no conflict between Moslem and Jew; this is simply an uprising of lawlessness and disorder. . . . No nation, no civilized nation, no nation with any political responsibility, no nation cooperating with other nations to do their best for all the peoples of the world will ever yield to outbursts of criminality and murder.

Whereupon Mr. MacDonald appealed to Moslem and Jew alike to unite in condemnation of the past and in support of the British Government. His language sounded dangerously like Tory anger. It will not do simply to blame

the Arabs for the outbreak and to assume that support of the British Government is all that is needed in the circumstances. It isn't. Mr. MacDonald himself, when leader of His Majesty's Opposition, if our memory serves aright, protested against the use of bombing planes dropping destruction from the skies upon man, woman, and child alike in Arab villages near Bagdad. Some cynic is likely to dig his words out of the files of Hansard.

JUDGE CHARLES J. CARR of a Boston municipal court has acted according to the law and common-sense in dismissing the charges against Alfred Baker Lewis and Jackson Wales, who were arrested on the Common when talking of Sacco and Vanzetti, by order of the superintendent of police, Michael J. Crowley. Judge Carr upheld the right of free speech as an American institution in discharging the prisoners, but he did not comment upon what was perhaps the worst aspect of the arrests. Both Lewis and Wales spoke under permits obtained in advance. There is good legal opinion that a permit to speak has no permissive character about it. That is, city officials have no authority to abridge the right of free speech, and an application for a permit to speak cannot legally be refused; it is, in fact, merely a notice to the police of intention to speak, so that they may make arrangements to preserve order. Anyhow both Lewis and Wales had permits. Superintendent Crowley had a right to arrest them for what they said if it violated the law, but he had no authority to take away the permits and then arrest them for not having any when they continued to speak. The fact is that he knew he could not successfully prosecute them for mentioning those—in Massachusetts—unmentionable words "Sacco" and "Vanzetti," and so he broke up the meetings by a contemptible and lawless ruse. We hope Messrs. Lewis and Wales will turn around and prosecute him for false arrest.

WITH THE SETTLEMENT, practically on the strikers' terms and including recognition of the union, of the New Orleans carmen's strike, one of the strangest labor episodes in the South reaches a conclusion. For the strikers won their fight, not by their own super-organization and solidarity, not by any sudden softening on the part of the employers, but because the public, the people of New Orleans who were directly inconvenienced by the failure of the street cars to carry them, refused to ride in cars manned by scabs, and got to work anyhow, by whatever vehicle that was handy. The public supported the strikers! This would be handsome enough in a Northern city with a long tradition of labor disputes; in the South, where organized labor is just gaining a foothold, where notions about unions and the dignity of labor are regarded as a little new-fangled, it must have been surprising to the workers themselves. From a correspondent in New Orleans we have the following letter:

The trolleys have been running during the sixty-five days of the strike with virtually no passengers. Nearly all the civic organizations unanimously adopted resolutions pledging that their members would not ride in the trolleys during the strike and assessing a \$10 fine for those who did. People owning cars have driven to work those who did not. Business houses lent trucks for the purpose of breaking the lockout, advertised to the idle workers that their payments on furniture, automobiles, etc., would not be due until the

men again were earning money, and urged them to hold out against the Public Service Company. Yet only one newspaper, the *Item*, itself an open shop, supported the strikers.

In the face of such solidarity—of the innocent bystanders who are ordinarily supposed to be the chief sufferers from a public-utilities strike—what could the company do but yield? This is a very simple lesson, one that labor, employers, and the "public" might well learn by heart.

THE TRIAL at Charlotte, North Carolina, of sixteen of the leaders of the Gastonia strike ended on September 9 in a shocking manifestation of mob violence. Due to the fact that one of the jurors became insane, a new trial was ordered to begin on September 30. Angered, apparently, at the prospect of delay and possibly eventual acquittal, a mob in Gastonia raided the offices of the International Labor Defense, destroying much property, and kidnapped three of the union's leaders. The men returned later, saying that they had been beaten and then released. Until this turn of events the sixteen Communists and strike leaders who are charged with the murder of Chief of Police Aderholt had every reason to feel cheerful concerning the progress of their case. Judge M. V. Barnhill had been just in his rulings, the jury seemed to be as good as could be expected considering the inflamed opinion of the region, and the evidence produced by the prosecution in the preliminary stages of the trial failed to establish conspiracy among the defendants or to fasten the shooting of the police chief upon any particular persons. It seems probable that if any of the defendants are convicted it will be almost entirely upon circumstantial evidence. When the prosecution sought to appeal to the emotion of the jury by producing a dummy of the dead police chief clothed in his uniform and covered with a shroud, Judge Barnhill immediately ordered the dummy to be removed.

THE CARRIER PIGEON, that romantic symbol of speed, accuracy, and devotion, is to be abandoned by the navy as a purveyor of messages in favor of economy, the radio, and the airplane. Thus does the machine age destroy one more of the cherished institutions of a more innocent day. Time was when the dispatch to the general on the field of battle, the order that was to save the prisoner destined to execution, the word that would call the soldiers to release the beautiful girl in the clutches of the wicked bandits, was bound on the leg of a swift-flying bird which would speed unerringly to its destination. Now that same word—or its less romantic but perhaps more realistic equivalent—speeds by radio through the ether, unimpeded by wing or wire. It reaches not only one destination but many; it carries its message and receives its answer long before the faithful pigeon could have made half its flight. But the tradition of message-carrying birds will linger a while in the annals of the navy, just as the fame of the dashing teams which used to draw the fire engines, but now have been replaced by motors, is not yet quite lost. Pigeons will still be used, we read, in Guam and at Lakehurst. They are useful in isolated sections or when planes have been forced to land unexpectedly. In other words, when machines fail, animals must serve. Horses pull out the mired motor; no radio would have brought back an olive branch to Noah in the Ark. For that he had to use a dove.

Much Ado About Disarmament

WE were much interested, as were many others, in the report last spring that Ramsay MacDonald proposed to visit the United States to discuss the naval armament situation with Mr. Hoover. Mr. MacDonald has an interesting personality and a winning manner, and his position as Prime Minister of Great Britain is obviously one of importance. If he could sit down with Mr. Hoover and talk the matter over, it seemed natural to suppose that some of the larger difficulties in the way of an Anglo-American agreement about armament reduction might be ironed out, and the way smoothed for a presentation of the subject to Congress and Parliament. The suggestion, indeed, was more than interesting; it was intriguing, and the newspapers of both countries played it up valiantly.

No sooner had the proposal been launched, however, than it began to be buffeted by head winds and bad weather. The first public intimation that Mr. MacDonald might take a few weeks off and cross the Atlantic was made, if we remember rightly, on June 10 at London, and was favorably received. Six days later Ambassador Dawes, who had just arrived in England, saw Mr. MacDonald in Scotland, and the next day Mr. MacDonald told the correspondents that the visit depended upon the diplomatic situation, "but I should think I probably would go." By June 26 things looked a bit doubtful, the diplomatic condition, it appeared, being an agreement between Great Britain and the United States about a naval conference. By July 1 the sky was further overcast: Mr. MacDonald would come if he were invited, but he had not decided when—probably not until October. Press dispatches of July 18 agreed that the visit would probably be postponed, but on the 24th Mr. MacDonald again was coming in October.

Meantime Ambassador Dawes had been busy discussing the armament question at London and had described the Hoover "yardstick," happily in general terms only, to the Pilgrim Society; a bill empowering the President to make secret purchases of war materials in certain cases had been prepared by the Secretary of War; a railway shipment of fourteen-inch guns had arrived safely in California; and Mr. Hoover had halted plans for the construction of three cruisers and demanded that army costs be cut down. Within a week after these latter incidents Mr. Hoover was backing water on the army cut, the British Admiralty was joining in the London parleys, pay increases for the American army to as much as 105 per cent in some cases were being demanded, and Washington announced that parity had been accepted as the basis of an Anglo-American agreement and that the navy was going ahead with the plans of the three cruisers whose construction had been held up.

All this, while rather confusing to the man in the street, seemed to make Mr. MacDonald's visit only the more urgent. The question of the visit dropped out of the news until August 21, when it was again reported from Washington that Mr. MacDonald would not come unless a basis for a naval conference had been found. Something went wrong, or else something happened between twilight and dawn, for the next day the same Washington announced

that Mr. MacDonald and his daughter were coming about the middle of October. London, cautious about denials, understood that the coming would not be in October's first week. On August 25 Mr. MacDonald was coming late in September; on the 28th his arrival had been placed between October 1 and 10; on August 30 the *Baltimore Sun* announced that he would arrive on October 4 and sail on his return on the 12th. Twenty-four hours later Mr. MacDonald was quoted as saying that his coming "must depend upon the agreement"; on September 2 London was doubting that there would be any visit at all, while on September 3, the day on which Mr. MacDonald made the optimistic speech at Geneva which Secretary of State Stimson promptly dashed with tepid water, White House officials were reported as saying that "nothing was known" there about the visit "beyond what had appeared in the newspapers."

The country is still waiting for Mr. MacDonald, and we still hope that he may find it possible to come. The reason for all the backing and filling, however, is clear enough. Mr. MacDonald has long been enthusiastic about armament reduction, and as soon as the May election made him Premier he set out to do something about it at once, forthwith, without delay. Then public opinion, and the Admiralty, and the naval experts, and Australia, and the Singapore base, and the naval plans of Italy and France, and the Palestine disorders, and reparations all got in his way and the great reformation slowed down. Mr. Hoover, who has not yet learned that politics is not quite like railway building or dam construction, also wanted naval armaments reduced now and limited hereafter, and set up Mr. Dawes to explain all about the virtues of the yardstick; but the Dawes speech, when critically examined, turned out to offer only the old hokum about cooperation between statesmen and experts—two aggregations that have not yet been able to agree upon anything either among themselves or with one another. On August 14 we were told, on what was claimed to be authority, that the yardstick had been abandoned and a ship-for-ship arrangement substituted. Now, as far as the drippings of news from secret conversations indicate anything, the two countries are back where they were at the beginning, and where they have been ever since Mr. Coolidge's three-Power conference broke down in August, 1927, namely, at the issue of parity. As nobody has any but a vague notion of what parity means, and even Mr. Hoover's engineering-mindedness is unable to show how it might be attained, the outlook for an agreement that will let Mr. MacDonald take ship seems remote.

It is time that the farce were ended. Three years of more or less continuous discussion of armament reduction have produced thus far nothing of importance except talk—and a steady increase of armaments almost everywhere, with the United States well toward the van. What the country wants is action, not politics, debate, and expert hairsplitting. If Mr. MacDonald still thinks that by meeting Mr. Hoover he can get something practical done, we hope his visit will be made. If he is not sure of being able to do that, it were better that he should not come.

The Nation's Laws

THE announcement from Washington on August 26 (we quote a summary from the *New York Times*) that "federal prohibition administrators throughout the United States have been instructed by the Treasury Department to make an effort to obtain a larger measure of cooperation from municipal, county, and State officials in the enforcement of prohibition," and that "the regional administrators have been directed to see to it, so far as practicable, that the local authorities shall take over the prosecution of such offenses against the law as the sale of liquor in road-houses and in speakeasies, and other acts that are held to fall properly within the police power of the States and their various subdivisions," raises a question of national, State, and local interest far beyond the particular issue of prohibition. The announcement followed close upon the heels of a manifesto issued by Maurice Campbell, prohibition administrator for the New York district, calling attention to the "inactivity" of Police Commissioner Whalen and District Attorney Banton of New York City, reminding them that the New York Court of Appeals had held that speakeasies were subject to the penal laws of the State regarding public nuisances, and informing them of his intention to turn over to the State district attorneys for prosecution all speakeasy cases framed by federal prohibition agents.

In the exchange of amenities which followed Mr. Campbell's plea for a helping hand, Mr. Campbell was virtually invited to mind his own business and let the New York police administration alone, and was specifically told that if he "would talk less and work more he would be a better prohibition administrator." We are ill disposed to defend the administration of the New York Police Department in general, and the 32,000 speakeasies that are said to flourish within its jurisdiction seem to us too many, but to the promptness with which Mr. Campbell's representations were kicked out the door we respectfully raise our hat.

The Treasury authorities at Washington, if not their New York agent, ought to know and probably do know that the campaign upon which they have entered is without legal foundation and an open intrusion upon the constitutional rights of the States. It is an elementary principle of American constitutional law that no State is under obligation to enforce a federal statute. It may not rightfully impede the operation of the statute, but its whole duty has been done when it has recognized the existence of the statute in its courts, and when its courts have recognized the constitutionality of the statute if the question of constitutionality has been affirmatively answered by the federal Supreme Court. Beyond this no State is required to go. Comity, to be sure, sanctions such cooperation as allowing the use of State prisons or jails for the confinement of federal prisoners, or police aid to federal marshals in serving a federal process, but these things are courtesies, not obligations. The Northern States which in the days of the Fugitive Slave act refused the use of their jails for the detention of fugitives who had been apprehended by Southern slave hunters, acted fully within their constitutional rights.

The adoption of a prohibition amendment and the enactment of federal laws to enforce it have not changed in the

least this constitutional prerogative of the States. It is true that the amendment gives to the States concurrent jurisdiction with Congress in enforcing its provisions, but a grant of concurrent jurisdiction does not enlarge in the least the authority of Congress at the expense of the States. What is true of the States, moreover, is equally true of municipalities, for they are created by the State and subject in all respects to its control. It is the duty of the federal government to enforce its own laws. For the performance of that duty it has at its disposal marshals and their deputies, a swarm of special agents, and in the last resort the army and navy. If it cannot secure obedience through these means it has no other recourse save to throw up the sponge and let the law become a dead letter if it cannot be repealed. When Mr. Campbell or other federal prohibition agents undertake to arraign the officials of a State or municipality for laxity in not doing what it is the business of the federal government to do, they are meddling in business that is not theirs and at the same time confessing their own impotence.

Morals and Movies

THE suggestion that bad little children may be made good by sending them to the movies was made by Dr. Phyllis Blanchard of the Philadelphia Child Guidance Clinic before the ninth International Congress of Psychology at Yale. She is quoted as saying:

Numerous studies made by scientists have failed to establish any appreciable contribution to delinquency from motion pictures, but we do find the motion picture to be helpful in many ways. It affords healthy escape from drabness, to adult and child alike. It is perhaps the most useful of all the present mediums of expression in the inculcation of generally accepted standards of morality and behavior. It is a definite Americanization aid to the children of the immigrants.

I have sat in motion-picture theaters and marveled at the unanimity with which the children present reacted on the side of law and order. When the villain is caught and punished, as is always the case under the policy of those who make American motion pictures, the applause of the children is swiftest and most enthusiastic.

Yes, we too have heard that applause when the slim young lieutenant of the Canadian Northwest Mounted invaded the lonely cabin in Saskatchewan and yanked the fair Kathleen from the arms of the gent who hadn't shaved for a week. And we agree with Dr. Blanchard that such things are not likely to make children delinquent; but we have been concerned with the effect produced upon the minds of the adults in the audience. How can a movie which satisfies a child of twelve be made morally safe for a man of thirty-five? Thus far the censors have spent all their time protecting children against adult movies; they might better protect adults against childlike movies.

When the motion-picture producers are compelled to choose between the moral capacities of the twelve-year-old and thirty-five-year-old, it appears that they almost invariably choose the child. Moral problems on the screen are presented in those simple blacks and whites which a seventh-grade pupil can grasp while simultaneously eating peanuts and experimenting with the nickel candy vendor on the seat

in front. For the child the artificial simplicity is probably a good thing; he is not yet prepared to make fine moral discriminations and, as an introduction to ethics, it does him no harm to learn the difference between a man who steals and a man who does not steal, between a murderer and a man who does not murder, between a teamster who beats his horse over the head with an iron pipe and one who spends his last dollar for Dobbin's oats.

Having mastered these oversimplified contrasts the child should pass on to more subtle discriminations, that is to say, he should pass on to life as it is with its complex of varied impulses that are neither right nor wrong in themselves. But the movies do not pass on. They dwell forever in the stage which is designed to make children conventional.

Not enough has been written about the moral havoc that may be wrought by carrying over into maturity the simple blacks and whites of childhood thought. That havoc is apparent in any war, strike, or political campaign. The oversimplified moral category of childhood becomes the blind prejudice of maturity. Ku Kluxers, fundamentalists, and super-patriots are products of arrested moral reflection.

It is in the field of nationalism, and even more that of sex, that the movies perpetuate most definitely the moral categories of childhood. We refer not only to the exaggeration of the importance of the romantic impulse in its most unreflecting form, but to the constant representation of the sexual drama as a mosaic of blacks and whites in which legal ceremonies consecrate any crazy, transient passion, in which divorce is always wrong unless preceded by vicious conduct, and in which sexual relations outside of marriage even on a desert island are never permissible unless, perchance, the young things find a fragment of a Bible on which to swear eternal monogamy.

Take a typical Hollywood treatment of a genuinely important sexual problem. A girl loves a married man and her affection is reciprocated. To satisfy the Hollywood code it is not possible to treat this problem in a straightforward manner, because the very existence of the love is a sin unless it can be justified by showing total depravity on the part of the man's wife. So, while sanity in sex standards would dispose of the whole situation by quiet divorce, the scenario writer makes the wife into a vixen, gambler, spendthrift, harlot, sadist—or what have you; the waiting virgin becomes—well, a Hollywood heroine. She barely touches His hand in their pure and beautiful courtship, and in the final reel it turns out that He never had any sexual relations with his wife anyway.

So while modern social science is teaching men to get back to human values behind institutional forms, the movies are perpetuating the old and false identification of goodness with institutional allegiance. If it be said in defense of the motion-picture producers that any art in order to achieve success in a democracy must pander to the traditional in morality, we can point for refutation to the spoken drama and to the novel. Certainly the American novel has achieved a maturity in sexual attitudes far beyond the prejudices of the standardized majority. The movie producers, under the advice of Elder Hays, have surrendered moral sophistication (on the screen, not personally) in behalf of box-office receipts. In the circumstances it may be necessary to consign motion pictures to the place which Dr. Blanchard allots to them, lifting our young to the norm of moral conformity.

The Circus Forever

IT was with regret that we read of the passing of Ringling's Circus from Madison Square Garden in New York City. Mr. Ringling, so the story went, was unwilling to give up one night a week of his four weeks' engagement to the Garden managers for boxing matches; the Garden managers declared that last year they lost \$60,000 on Mr. Ringling; Mr. R. retorted that in major considerations like the circus money is no object; whereupon the Garden officials quite properly presented him with a higher-priced lease than he had had before, which he at first refused and then further repudiated by the handsome gesture of buying up all the circuses which had accepted the Garden's terms.

Thus there is still only one Ringling, the child of the only original Barnum. There are features at Ringling's that cannot be duplicated anywhere else: for instance, the beautiful and talented Miss Leitz, if that was her name, who flips herself back and forth on her wrist 147 times by actual count. Any lady who has an arm like that deserves a monopoly on the act, and probably she is bound by a cast-iron contract to the Ringlings for the balance of her life, or as long as her wrist holds out. Then there was Zip, the great What-Is-It, who was reported to have been an exemplary husband and father, despite the torpedo shape of his cranium.

It is the word "tent," however, on which hangs our reason for being disturbed by the new program. Circuses, although some children of the present age are not aware of the fact, used to be held in tents. In one tent, to be exact. Inside the tent were the peanut and lemonade stands, the bearded lady, the ape man, the five-legged calf, the Half-Man-Half-Lady, the African Lion, the Real Jumbo Elephant, the spectators, the ring, and the performance. A small boy could, if he were lucky, wriggle under the edge of the tent at some distance from the entrance and see the circus gratis. The tent smelled—it smelled of more things than could be listed in a column this size. It was a great, strong, thick smell that met you at the door and laid a friendly arm over your shoulder as you walked about. It even went home with you, in a somewhat diminished state, and was the cause of embarrassing and unnecessary questions about how you had spent an afternoon that should have been devoted to education.

But for the big-city child the tent has gone. And Madison Square Garden was the next best thing to it. It was large, it was lofty, its roof was out of sight and might just as well have been made of canvas as of anything else. And under this mysterious roof came acrobats and clowns, tamed wild animals and those whom it was impossible to tame, a beautiful Miss Leitz and the only unique twenty-four Arabian horses which actually dance the waltz. We do not know whether or not there will be a circus next year at the Garden. On that point Mr. Ringling is dumb. But we warn him that if there is not we will stay at home. A circus somewhere else will be different from the circus of our youth and middle age. And as it differs its merits grow correspondingly fewer. Only the circus we know is the circus for us.

It Seems to Heywood Broun

RELIGIOUS liberty in America is much more honored in oratory than in practice. With the school year starting it develops that once again the fight must be made against the introduction of religious instruction. Mgr. Lavelle devoted a recent sermon at St. Patrick's Cathedral to this subject. It would seem to an outsider as if the parochial school system should satisfy the Catholics, but probably the church grows anxious over the fact that a very sizable proportion of its parishioners send their children to the public schools.

"Our children come out of our public schools," said the prelate, "enlightened and equipped to be good citizens who can serve their fellows and their country. They are, also, we hope, faithful servants of their God. The one regrettable feature of our American school system is that it is not prepared to offer religious instruction."

At another point the Catholic clergyman said: "Primarily, of course, religious instruction should be given in the home, but instruction in the home should be supplemented from other sources. . . . Our public schools were not always without religious instruction. If we are to restore it we must do so in a manner that will not offend or transgress the rights of any one. I ask you all to pray that a satisfactory system may be worked out and to lend your support to such movements as the Interfaith Council in our City. On this council, Catholics, Jews, and Protestants are working side by side to find a worth-while form of religious instruction for the schools."

Naturally, I have no desire to suggest that the drive to get religion into the schools comes primarily from the Catholic church. The evangelical Protestant sects are much more eager. There is some merit in the argument of Mgr. Lavelle. But not enough. He falls into the common American error of restricting religious liberty to the right of the individual to worship according to his own conscience. Surely there is no liberty unless we also grant each person the right to abstain from any form of worship if his ideals are so inclined. It is not enough that religious instruction should be acceptable to Catholics, Jews, and Protestants. Agnostic taxpayers have a right and duty to refuse such a compromise.

From my own standpoint I am not prepared to acquit atheists of all fanaticism. Their unwavering opposition to the Bible seems to me a little muddle-headed. I cannot go much of the way with Puritanical freethinkers who would suppress the book as immoral. I think that under certain conditions the Bible is not harmful to young people. Indeed I'm all for having the Bible as a part of the school curriculum. It is silly business to have boys and girls in English classes boring themselves with "Ivanhoe" when they might be reading the thrilling tale of Bathsheba and David.

Some of my atheistical friends insist that the Bible is dynamite in the hands of the impressionable. They contend that it encourages anti-social conduct. This is true only when the book is presented as sacred and inspired in a unique manner. There is every reason why the schools should study the Bible as English literature. Also, I think no man is even grounded in education if he is wholly unfamiliar with the

great religions of the world and their origins. If Mgr. Lavelle will indorse a system of religious instruction which shall give the public school children some conception of the relationship between Christian dogma and pagan myth I will gladly join hands with him. And of course the young scholars ought to learn about Jesus and his ethical system which has so profoundly affected the thought of the whole world. But it would be a sleazy course, indeed, if it did not undertake to cover the teachings of other messiahs as well. I do not mean that there should be an attempt to undermine the faith of children who come from religious homes. Religion can be handled just as objectively as biology. Let the story of Christ be told without comment. And also the story of Buddha.

Some of the most enthusiastic Bible readers I know came from agnostic homes where the book was forbidden. One man in particular never read a line of the masterpiece until he was well past thirty and then he was entranced. He would drop in on people late at night in order to discuss what he had read and his theories of the resurrection. He was like a child who has just dipped into the Arabian Nights. But this was a man of discernment and reading courage. He was not afraid to skip. Fundamentalists have done the Bible a great injury by insisting that every single word in it is directly inspired by God. This has always seemed to me a blasphemous theory, for it would argue that the Creator has His off days. Certainly the Bible is a book mixed in merits. Some portions of it are worth the attention of none except students in theology or ancient lore, and again after aridity the reader steps into the finest prose known to our language.

I quarrel with those who are too prone to read symbolic significance into the Bible. Here, too, I think I detect a weakness in the fundamentalist position. A good hardshell Baptist will die rather than admit that the story of Adam and Eve is an allegory. He will stand by a literal serpent and actual fig leaves. But get him into the Song of Solomon and he'll hedge and explain that beautiful and palpably erotic phrases refer to an enthusiasm for church-going.

In the process of editing the Bible for readability and literary merit "Revelation" should be the first to go. No one but preachers and Freudian analysts can make anything out of this jumble. And aside from incoherence I find small beauty in the book. The prose sinks under its own weight and comes to nothing. Begats, of course, are nobody's business unless he be one of the higher critics. Such passages are not for children. But nothing of an erotic nature need go. In spite of my atheist friends I contend that the Bible is among the cleanest of books, for it deals with sex frankly and simply and never employs a smirk.

As for the violence and cruelty which is celebrated in certain portions of the Old Testament, I see no harm in this if the book is put forward as a story. Shakespeare can be equally savage, and even Stevenson has gone in deeply for horrors. The modern child is insulated. A youngster brought up on the various things done to Jeff by Mutt is not likely to be harmed by hearing of the mean trick which Jacob played on Esau.

HEYWOOD BROUN

The Triumph of the Power Companies

By H. S. RAUSHENBUSH

THIS has been a great year for the men of the power industry. It opened, as the legislatures convened, with a little fear and the modern equivalent of prayer. All through the year 1928 their control of press, schools, civic groups, and men in political life had been uncovered, bit by bit. Their expenditures of public moneys to effect that control, their fight to keep the regulatory system exactly what it is now, their influence in the legislatures was all an open story. Not even the insurance companies, not even the New Haven had gone at the business of buying and molding the country closer to their hearts' desire as the power men had done, and the latter had committed the additional sin of putting it all down in black and white. For that sin they were expected, when the legislatures met, to be their come-uppance.

The legislatures of 1929 have met and adjourned. With a few minor exceptions the power men have beaten every bill intended to make regulation more effective or intended to relieve the municipal ownership of power plants from the handicaps put upon it in earlier days. It has been a year of triumph. Already in June they saw that there was to be no punishment for their presumption in influencing schools and press to teach a doctrine intended to intrench them and profit them financially. They began making statements, telling us that they had done nothing for which they needed to apologize, that they would continue as before.

This does not mean that they have not learned a lesson. I think they have learned a lesson: Not to write so many letters about their sly affairs (for letters can be found and read in public), but to use the telephone instead.

This ability of the utilities to make us like what they do to us is in itself a triumph of social craftsmanship, and should receive, as it does, the proper reward. What if the power companies and fertilizer companies have been able to hold up the development of Muscle Shoals by the Government for ten years? The delay has given them freedom from low prices during those years. It has effected a domestic tariff for them during that period. It has helped their businesses. What if the power men have donned false-face and entered the schools? They are free public schools, aren't they? What if they did buy a lot of newspapers, try to buy a lot more, and persuaded editors to put out an immense amount of propaganda and falsehood without showing where it came from? They paid for it in advertising, which helped make bigger papers and richer power companies at the same time. What if they did hold up Boulder Dam for four years? The delay gave them a President who has staked his professional reputation on the proposition that engineers won't work as well for the government as for private companies, and who has to prove himself right. The Pacific Coast has been saved from a great public-ownership development of the kind which exists in Ontario and gives for two cents what the coast pays six cents for. That sort of Anglo-Saxon un-American thing is to be kept safely outside of our borders. For this relief much thanks are due. What if the people who try to make our regulatory system

do its job well are beaten at every turn in the legislatures? It teaches them the much-needed lesson that they can't count on the government to do much for them. It makes them more reluctant to resort to government ownership. It thus saves for private initiative a whole series of opportunities which would otherwise be lost to it. . . .

Before going into the triumph of the power companies in the legislatures of this year, it is necessary to recall their triumphs of other years which have given us the system of regulation we have today. They were once its enemies. Familiarity, however, has bred—friendliness. They like it. They defend it. No one can touch it with impunity.

The essence of the story is this: Light and power are governmental services, so necessary and monopolistic in their character that they must be controlled, in some form, by the government. This is a Supreme Court dictum. They are services which we have a right to ask be furnished as cheaply and abundantly as possible. We might perform them ourselves. We can turn them over to private enterprise to perform, and then try to regulate the performance. Except in those cases where cities insisted on having these services before the companies were willing to give them, or where the companies got too stubborn about their rights to charge more than the traffic would bear, we have let the privately owned companies furnish the service. We tried at first to control them by cities. The granting of franchises turned into a pollution area. The companies also expanded. It was hard for a single city to regulate a company that extended throughout a State. The States then began to regulate, setting up commissions. The question of the day is: How well does that regulation work, and how can it be made to work better? With this goes the further question which all friends of the system have to meet: What chance is there of making it work better when every attempt to do so is defeated by the utilities?

The essence of regulation is the ability to fix rates, and when you lose that ability you regulate no longer. That is exactly what, to a large extent, the commissions have lost. They can no longer say: "You have put a certain amount of money into the business, you must be content with a fair return on that money." What they say now is: "You can earn a return on a large amount of money you never invested, you can cash in on the growth of the cities you serve, on the increased values of land, and we cannot stop you. We can try, however, to limit the flights of your imagination." These are two somewhat different things.

What the commissions have lost here is control of the rate base. The Indianapolis Water Company case, the O'Fallon case this year have toppled over the attempt to get service at cost. In its place is being put a system of guesswork which triples and quadruples the equity of the common stockholders and loads the rates to the gunwales. The Interstate Commerce Commission showed that if this new system were also applied to the railroads, they would in 1923 have added 12 billion dollars to the 19 billion invested. In the Indianapolis case the money put into the utility was

\$10,434,000. The new rate base was fixed at \$19,000,000, an increase of 82 per cent. The book costs of the New York Telephone Company were \$542,693,000 in 1925, the company asked for \$240,000,000 more. A large part of this involved the appropriation of consumers' money. The power company in Cambridge did not want to lower its rates. The commission found a fair value of \$2,500,000. The company wanted \$1,175,000, or 47 per cent, more. In the proceedings in which San Francisco took over the private-power systems the city claimed that the actual cost of the properties plus severance damages was \$31,223,000. The companies claimed \$90,000,000, almost three times as much. The commission fixed \$38,500,000 as a fair price, and has been informed by the companies that the case will be taken into court. Here obviously is a system of regulation where the essential control has been lost, where service at cost is no longer possible, and where favorable commissions are very important to the utilities.

In some States, notably California, Wisconsin, and Massachusetts, the public-service commissions try to keep as close to actual cost of service as they can, but they, too, feel obligated to make something of a bow toward the new uncertainty. On this very important matter of securing a stable rate base two bills were introduced this year, both of which failed to pass. In Massachusetts the board favored a State contract with the utilities, evening up any past deficits in dividends and guaranteeing that their stock should not be allowed to go below par, in return for the uncontested right of regulating the companies on the basis of their adjusted capital. In Indiana Senator Moorhead proposed that the commission should not allow securities to be issued above a fair value of the property, and that rates should be fixed on the basis of actual cost. No other States tackled this problem in a serious way. Several minor attempts, in Missouri and elsewhere, were defeated also.

Another control the commissions have to a large extent lost is that over operating expenses. The advent of holding companies means that the operating utilities let the holding companies do many services of engineering and financing for them. Over these the commissions have small power. The case for interstate control lies less in the fact that some power is shipped across State lines in a way to dodge regulation than in the fact that the holding company charges can not now be controlled, although the two companies have common ownership. Only in one State, Indiana, was a bill for holding-company control introduced, and that was defeated by adjournment of the House. The New York bill, once supported by the commission in that State, was not introduced.

Twenty-nine States do not even have nominal control over the purchase price paid for all operating utilities under their jurisdiction, and there is a danger that the excess prices now being paid by holding companies will, within a few years, become part of the base on which we will have to pay rates. But even States like New York which have a nominal control permit excess prices. In four years the New York commission let an excess over costs of \$202,000,000 be paid and then began opening the way for it to become part of the rate base. A little more delay and the holding companies will not be afraid of control.

Bills for investigation of the regulatory system of the water-power situation were defeated in Kansas, Missouri,

North Carolina, Minnesota, Pennsylvania, and Georgia. In New York several similar bills were offered and one, which gives the majority political leaders six places on a commission of nine, was passed. Colonel William Donovan has been appointed counsel for the investigating body. Massachusetts voted to investigate the financial holdings of its utilities.

There are eight States without commissions to control the power industry. In Texas, Florida, Kentucky, and Delaware bills for such commissions were introduced and defeated. In Kentucky the utility men appeared in favor of the proposal. In West Virginia the water-powers were put under a commission on about the easiest licensing terms allowed in any State in the country, and an amendment that power could not be sold outside the State cheaper than inside was defeated. Similar proposals concerning the export of hydro-electric power were shelved in other States. Maine voted to export its power, subject to a referendum and an excise tax on all export, of which a quarter million dollars annually is to be devoted to rural service. No guaranty as to lower rates accompanies the proposal.

The only improvement in the system which passed this year was a relatively small one, in Ohio. A legal and engineering staff is to be set up inside the commission to hear and submit cases to that body. This is a small recognition that the commissions have gone judicial. Otherwise the record of nibbling toward improvement of the regulatory system is a consistent one of defeat. In Indiana and Pennsylvania bills allowing the commissions a few more months to consider rates before they go into effect were lost. In Illinois a proposal to allow the commission to collect reparations for overcharges was lost. Bills in Texas, Missouri, and New York to reduce the rate of return were lost.

In addition to these attempted changes in regulation several efforts were made to supplement the breaking system by a program of government or municipal ownership. In New York Governor Roosevelt got nowhere with his proposal for a board of trustees to develop the St. Lawrence water-powers. In Minnesota the proposed \$50,000,000 bond issue for State water-power development was lost. In Wisconsin the Senate defeated the constitutional amendment to allow the State to recapture and develop its water-powers. In Texas a bill to revoke all permits for dams on public streams which had not been started to date was lost. In Nebraska a bill to establish a bureau of water conservation and utilization was lost. Bills for power districts in Iowa, Illinois, Wisconsin, and Washington were either voted on adversely or shelved. In Nebraska, however, the power district bill of 1927 was amended to meet constitutional objections and repassed.

The municipalities of the country have long been suffering from limitations put upon them which prevent them from raising money for power and light plants in the same way as the companies do, on the strength of the expected earnings of their proposed plants. They have, for the most part, to stay within debt limits which in thirteen States are below 5 per cent of their assessed valuation and in thirteen others below 10 per cent of it. These limits they use up quickly enough for schools, sewers, and other public necessities. They are also held down by law in most States from expanding beyond the city limits as private companies may do. These two limitations, far more than the tall talk of

the utilities about "governmental inefficiency," explain the lack of growth of municipally owned plants in this country. A great number of bills to give them more freedom to grow on an equal plane were introduced, notably by some of the Western leagues of municipalities. With one exception in Nebraska, one in Wisconsin, and another in North Dakota those of major importance were all defeated.

There is no reason to believe that this record of power company victories will be changed next year under a similar

scattering and random attack. Any changes to be made in the interests of the consumers will come only through heavy mobilization. There is little nourishment to be had in nibbling the insiders in the power industry out of the favorable positions they have captured inside the lines of regulation. They profit far too heavily where they are to yield lightly. They have concentrated enough wealth to control the country and apparently that is exactly what they propose to continue to do.

The Power Trust in the Public Schools

By GEORGE W. NORRIS

THE difference between barbarism and civilization is education. Tyrants cannot permanently rule an educated people. Ignorance is the mother of superstition and superstition is the domain of despots. Intelligence is the foundation of democratic government.

In America we have the public school system. It is essential to the perpetuity of our institutions. If our public schools are perverted and defiled, our governmental institutions are weakened and will eventually be destroyed. A new crop of rulers must take control every generation and a government which would prosper and a people who would retain and increase their happiness must prepare the oncoming generations for new governmental responsibilities which are continually falling upon their shoulders.

We are living in the dawn of an electric age. Nature has not only supplied us with electricity, this necessity of human happiness, but she has likewise furnished the means by which it can be made. Every drop of flowing water, coming from the snows, the springs, and the rain, as it travels its downward course, possesses the power of converting, out of nothing as it were, this wonderful element of modern civilization. This is a property which belongs to all of us, a source of human happiness. It has become a necessity of modern life. Therefore it should never become the subject of private profiteering. Its utilization in the homes of America and in the factories of commerce, for practical purposes, depends to a very great extent upon the elimination of private profit from its generation and distribution. Like water, it should be supplied to our people at actual cost.

For several years a contest has been going on between those who believe this work should be done as a governmental function and those who believe that the right to use our public streams for this purpose should be turned over to private corporations for private profit. It was supposed for some time that this was a fair and open contest between the believers in two separate and distinct doctrines of government. If this were true, then the contest would be just. Intelligent, educated people would decide the question the same as they would decide any other governmental question, after full debate and fair consideration.

In the course of the debate in the Senate on the Muscle Shoals question, it was frequently alleged that there was a Power Trust in this country; that it was nation-wide in its control. Indeed, it was charged that this trust reached out into foreign countries and was, in fact, international in its

operation. These charges were scoffed at. They were ridiculed. The men making them were denounced as enemies to human progress.

As a result of this discussion, the Federal Trade Commission was directed to make an investigation. And what has been the result? It has been ascertained that there exists in this country a combination, the most powerful that has ever been put together by human ingenuity. These power magnates have divided the country into districts and put a ruler of their own in each district. These managers are assisted by assistant managers, by division superintendents, and by almost an unlimited number of specialists, lawyers, and hired men and women in all walks of life. It has been shown that millions of dollars have been spent to keep this machinery in operation. It has been shown that \$400,000 was raised by this trust to control the action of the federal Congress. In the main, this particular attempt was to defeat the Muscle Shoals bill, the Boulder Dam bill, and the Senate resolution directing an investigation of the subject. Untold sums have been spent to control the press, usually by methods which were indirect, but unfair and disgraceful, nevertheless. Armies of emissaries secretly representing this trust have gone into every community. They have undertaken to control legislatures, public-service commissions, members of the national Congress, public educators, school boards, municipal authorities, commercial clubs, secret societies, women's clubs, boy-scout organizations. They have not forgotten the preacher in the pulpit. They have sent lecturers, ostensibly traveling upon the business of State universities, to lecture to farmers' clubs and social organizations. They have sent women into the field to speak at women's teas and various similar organizations. They have organized committees of inspection to examine the textbooks used in the public schools. They have issued thousands of pamphlets to be used in the classroom. They have entered the universities of the country and subsidized professors and leaders in educational lines.

The trust has done all this secretly. No one would have any right to object and no one would object if these private corporations would advocate openly their viewpoint and their method of supplying electricity to the people. No one would find fault if this discussion and these influences were operating in public. But these emissaries were not known by the people who heard them or the people to be influenced by them to be in the pay of this monopoly. The propaganda which was fed to the press was, in the main, published as editorial

or news matter and the readers had no knowledge that this material was supplied from some central headquarters of the trust. In order to conceal their activities from public view it was necessary that they sail under false colors. We ought to ask at this point where they secured the money with which to carry on this warfare. Where did they get the funds which they used so lavishly to fool the people? It must be remembered that the Power Trust has only one source of revenue, and that is the money contributed by the people who buy their product. They were using our money to deceive us and our children.

The evidence before the Federal Trade Commission discloses the sending of a catechism into the public schools of some of our States. In this catechism are questions and answers which it was intended the children should memorize. The answer to one of these questions reads as follows:

In every case in which a community has attempted to operate a public service utility which is subject to great change and development, it has been found that the costs of the service are higher than when the service is furnished by a private corporation.

This statement is not only misleading, but it is absolutely false. It undertakes to put into the minds of our children a falsehood, and it does this under the guise of education.

Another answer to one of the questions in this catechism stated in effect that statistics have proved that the cost of living in cities operating their own utilities is much higher than where the service is intrusted to private enterprise.

It is shown in this same catechism that the power magnates were trying to prevent criticism of their own activities. They were trying to instil in the minds of the children the idea that such criticism was unpatriotic and should never be indulged in by good citizens. For example:

QUESTION: What is the effect of adverse criticism upon utility service?

ANSWER: When people in any community criticize adversely public utilities in their city they are advertising their own city to outsiders as a poor place in which to live and are thereby retarding its growth.

Down in Alabama a college professor was hired by the power companies to carry on their work. He traveled over the State, talking to church gatherings, farmers' organizations, Rotary clubs, Kiwanis clubs, etc., and somewhere in every speech he made he had carefully tucked away misleading statements praising the private-power interests and condemning municipally owned electric-light plants. He was introduced as a director of extension of the university, a man interested in the industrial development of the State, but it now develops from the investigation that he was paid regularly by the Power Trust over \$600 a month.

One of the representatives of the trust, in writing to a trust representative in a different State, after describing how he had succeeded in outlining the public-utility courses in two universities, wound up by saying:

We laid the groundwork circumspectly and with great care, so that the actual suggestion that such courses be started came from the faculties of the institutions themselves. The rest was routine.

The evidence shows that in some States the trust was successful in bringing about a complete revision of the textbooks of the public schools of the State. The methods pur-

sued depended upon the conditions that had to be overcome. In one State where the power companies were undertaking to have the textbooks of the schools edited so as to give their viewpoint to the student, one of the letters on the subject contained the following language:

Of course, all of the business must needs be transacted with exceeding tact and diplomacy. Local conditions and prejudices will have to be taken into account when the educators are approached. Also it may be well to note what appropriation the school superintendent may have at his disposal for the purchase of textbooks. It may well be that avenues of proper assistance in a small way will present themselves. It may be well worth a utility's while to help in that regard. Such aid, unfortunately, is subject to misinterpretations and would therefore have to be rendered in a manner well safeguarded from suspicion.

I am not undertaking to give a complete résumé of the evidence. To do that would fill volumes. I am only trying to give a few illustrations of what is going on in free America. All of it has been done in the name of private ownership of public utilities. Has not the time come when those who love our public schools, who want to guard them with honesty and to preserve them in purity, should raise their voices in condemnation of this unrighteous and unpatriotic attempt to utilize the public school system to control public sentiment for private gain?

The Centralization of Power Control

THIS table, prepared by H. S. Raushenbush for the Committee on Coal and Power, shows that seventeen holding companies control 85 per cent of the nation's power. The first two combinations, which together control 34 per cent of national production, work in such close co-operation that they could be classed as one.

Rank	Name	Thousands of kwh ¹	Per cent of total
1	United and affiliates.....	15,084,925	18.80
2	Electric Bond and Share.....	12,245,572	15.26
3	Insull	8,347,894	10.40
4	North American.....	5,720,291	7.13
5	Consolidated Gas.....	3,835,037	4.78
6	Standard Gas and Electric.....	3,624,310	4.51
7	Southern California Edison.....	2,421,357	3.00
8	Pacific Gas and Electric.....	2,322,015	2.89
9	Stone and Webster.....	2,273,470	2.82
10	Detroit Edison.....	2,142,549	2.66
11	Associated Gas and Electric.....	1,917,055	2.40
12	Duke Power.....	1,745,776	2.17
13	American Waterworks and Electric.....	1,727,565	2.15
14	Cities Service.....	1,426,122	1.77
15	Con. Gas (Balt.)—Penn Water...	1,418,650	1.76
16	International Paper-Power ²	1,325,660	1.65
17	United Light and Power.....	1,203,068	1.50
		68,781,316	85.76
Next 15 groups.....		5,399,535	6.75

¹ On basis of mergers to June 15, 1929, and latest published figures of production by companies 1927—80,200,000,000 kwh.

² Has on its board directors from other New England companies representing a further production of 1,635,480,000 kwh.

Wisconsin's Power Fight

By ALVIN C. REIS

LAST spring a conservative Wisconsin daily remarked: "If anyone doubts that the battle lines are now forming in Wisconsin for perhaps the most gigantic struggle in a decade, he has only to inform himself of the hearings held during the past week in the Assembly Committee on Judiciary." Those hearings concerned the new public-power program which challenges the private ownership of Wisconsin's electric power. The program, which has attracted national attention, embraced three proposals:

1. A constitutional amendment enabling the State of Wisconsin to recapture its water-power and engage in the generation and distribution of electric power.

2. A power district bill authorizing cities and intervening rural territories to establish district units for the production and distribution of electricity.

3. Enabling legislation designed to aid municipalities in the public operation of electric utilities.

The constitutional amendment on recapture reads in part as follows:

For the purpose of promoting the wider use of electricity in the home and on the farm and for the purpose of promoting the industrial development of the State by providing abundant electric power, the State may acquire by gift, purchase, and condemnation, and may own, convey, construct, develop, extend, improve, add to, conduct, manage, control, and operate water-powers and electric utilities; and may generate, distribute, buy, and sell heat, light, water, or power directly or indirectly. To carry out the purposes of this section the State shall have all the powers incident and necessary thereto, including the power to borrow money.

In the 1927 Legislature this proposal was introduced; it passed the Assembly 70 to 13, and was killed in the Senate 20 to 10. In the 1929 session this constitutional amendment was again introduced. It passed the Assembly 71 to 19. On July 31 it was killed in the Senate by the vote of 17 to 16—a single vote! The amendment will be introduced in the 1931 session and I believe that it will pass.

What is the basis of this proposed constitutional provision? The political philosophy behind it is that water-power is a natural resource to be held in trust by the State for the benefit of all the people rather than to be alienated to private interests.

There is, moreover, a substantial business argument for State ownership and operation of its water-power. Guy Tripp, chairman of the Board of Directors of the Westinghouse Company, is authority for the statement that 80 per cent of the cost of producing electricity from water-power consists of fixed charges, which are principally dividends on stock and interest on bonds. That fact is not true of any other productive business. In the ordinary manufacturing business the elements which go to make up the cost are mainly labor and material. In the mining business it is practically all labor and transportation. Go into any ordinary manufacturing plant and you will find swarms of workmen and piles of material. Go into a power plant and you will find nothing sitting there but an investment. In

the enormous plants along the Menominee River in Wisconsin, for example, you will find generally only one man around and in most cases he is not really necessary except as a watchman. The lower plants are run from the plant above on the river. They are classed as automatic or semi-automatic. There is no labor cost. There is no material cost. Practically the whole cost lies in the fixed charges on the investment.

What is the point of this illustration? It is this: The State of Wisconsin can borrow money at from 4 per cent to 5 per cent. The private utility in Wisconsin is entitled to earn a return on its investment of 7 per cent, perhaps 8 per cent (and indeed under decisions of the United States Supreme Court may be entitled to earn this on its reproduction value). Now this difference between 4 per cent or 5 per cent and 7 per cent or 8 per cent—we will say an average of 3 per cent difference—if amortized over a period of less than twenty years, will retire the entire investment! Two per cent amortized over twenty-five years or so will retire the original investment completely. When the original investment is retired the fixed capital charges which apparently are the principal item in the cost of water-power are also done away with.

What was the objection advanced to the control and operation by the State of Wisconsin of its water-power? "State Socialism." We have eighty-six municipal electric plants in Wisconsin. There are 2,581 in the United States, in addition to 7,000 municipally owned water-works. The difference in theory between 2,500 cities supplying electric power and a State recapturing the natural resources of its water-power, is difficult to comprehend. What difference is there between a water-works and a water-power plant? The city of Madison owns its water-works but is not socialistic. Why is it good republicanism to turn on the faucet, but socialism to push the electric-light button?

Ontario, where the public hydro-electric project exists in all its glory, is conservative politically. Socialism is decried. The government project was started by Canadian manufacturers under the regime of a conservative premier, Sir James Whitney. Sir Adam Beck, who was in charge of the government undertaking from its inception until his death, was knighted by the King of England for his magnificent work for the people of Ontario. The local public-service commissions in the 252 municipalities now joined in the Ontario project are almost invariably composed of the outstanding manufacturers and business men of the community.

The Wisconsin power district bill (consisting incidentally of forty-one printed pages) authorizes the creation of a new kind of governmental units to be known as "municipal power districts." These power districts may be organized by two or more municipalities but are distinct units from the municipalities themselves, with their own governing bodies, their own properties, and their own assets and liabilities.

Municipal power districts will be organized upon referendum vote of the people in the municipalities included within the district. No municipality may be included unless a majority of its electors vote in favor of joining the power district. The referendum may be brought about in one of two ways: Either by resolution passed by the governing bodies of at least one-half of the municipalities proposed to be included within the district, or by resolution of not less than 10 per cent of all the electors within the territory proposed to be included. If a district is organized additional territory may be joined thereto by referendum vote in the municipalities proposed to be added. Under no circumstances, however, is a municipality ever to be divided.

The governing body of the power district is a board of five directors nominated by subdistrict primaries and elected for four years. The actual management of the utility properties owned by the power district is vested in a general manager selected by the directors.

In the management of its property the power district will have substantially all the powers of a private utility. It can mortgage its property or any portion thereof and may lease, sell, buy power or anything connected with the generation or distribution of power. In addition the power district, being a governmental subdivision of the State, has the power to issue bonds, which are a general obligation upon all the property within the power district, and also the power to levy taxes.

It should be emphasized in this connection that the power district bill does not allow a district to start a plant or system to *compete* with a utility already covering that district. The district must *acquire* the existing plant or system and pay for it at full value. In other words, this is not a municipal competition bill. It is not "confiscation." It may also be pointed out that the property of the power district will be taxed exactly as is the property of a private utility.

What is the purpose of the power district bill? It is twofold. Under the State constitution no governmental unit within the State may become indebted to a greater amount than 5 per cent of the assessed valuation of the property within its borders. That restriction practically blocks any municipality today from acquiring or extending an electric utility. If a modern municipality were to take over all utility properties within it, the 5 per cent limit would thereby be absorbed so that it could have no other indebtedness whatever. So great has been the demand, moreover, for schools, parks, and numerous other municipal undertakings that many municipalities are finding it difficult to finance even such improvements within the debt limit, without thinking of acquiring utilities.

The power district, constituting a new governmental subdivision, will under the constitution have its own 5 per cent debt limit based upon the assessed valuation of all property within the power district. The indebtedness for the power district will be entirely distinct from the indebtedness of the municipalities within the territorial limits of such power district. This expedient will allow the acquisition of electric property.

The more fundamental purpose of the power district bill is to enable the public to conduct electric operations on a large scale and to enjoy the advantages of big-business operation now available to the private utilities in the field.

Six corporations—reflecting, in fact, only three holding corporations—control 75 per cent of the electric business of Wisconsin. In contrast the eighty-six municipal corporations in the business are each forced to work as individual, isolated units.

If a large private company can concentrate under one management the electric business in a score of communities, why should not these communities themselves, if they have or desire their own electric undertakings, be allowed to make the same concentration? If Two Rivers can obtain current from Manitowoc, why should they not be allowed to unite? And who is the best judge of such a union, the legislature or the municipalities themselves?

The city of Kaukauna which has one of the most efficient electric plants in the world, municipal or private, can produce 100,000,000 more kilowatt hours, but it has no market for this supply within the city limits. If a power district were opened up to it, it could dispose of this product. In the town of Vandercook 100 per cent of the farmers want Kaukauna's cheap service and not that supplied by the private utility. If and when the power district bill passes, the city of Kaukauna and the town of Vandercook and perhaps even an appreciable portion of the Fox River Valley can get together in one single public power district. And that is why the privately owned utilities considered the bill dangerous. It should be emphasized that the legislation is purely permissive, not mandatory. No municipality or rural territory can become part of a power district except by the will of the people expressed in that district.

What were the objections of the utilities to the power district plan? The first one was that the power district will have the power to issue bonds. But what of it? Milwaukee financed its water-works by bonding and now owns its plant worth millions of dollars, practically debt free. Most financing will be done by mortgage bonds anyway and not by general obligation. Moreover, the people must approve a bond issue before it can be floated. Finally, bonds are not a new obligation. Municipal bonds represent only a paper transfer of debt. A private utility today has a perpetual mortgage on the community. All that the municipality does is to take over the mortgage. The people are paying the interest on the bonds in rates today. They will do the same thing in a power district and no more. The only difference will be that the rate of interest may be lower and that the district will ultimately retire its indebtedness.

A second objection to the power program is that the district will have the power to tax. Of course it will. The tax power stands behind the bonds of any governmental unit whether it be United States government, State government, city, county, school district, drainage district, or power district.

As a matter of practice the tax power is not used in the conduct of a municipal electric utility. There is not a publicly owned electric utility in Wisconsin today, to my knowledge, that is taxing its people to pay bond interest or for any other purpose. The municipal utility supports itself. Sometimes the utility is supporting the municipality.

The enabling legislation of the public-power program in Wisconsin consisted of the Loomis bill and the Carow resolution. The Loomis bill authorized cities to compete with private utilities without a certificate of con-

venience and necessity. The bill passed the Assembly but was killed in the Senate. The Carow resolution provided that in computing the 5 per cent debt limitation, there should not be included the indebtedness incurred in financing any income-producing utility. This gave relief to that extent from the constitutional restriction which as it now exists is a legal deterrent to electrical operations by many cities. The Carow resolution is the only part of the power program that passed. Thus goes into history the Wisconsin power fight of 1929.

Thus, it is predicted, there begins the greatest battle of the next decade in Wisconsin. It is a battle to give the public operation of electric utilities—which has been an avowed policy for a quarter of a century in this State and nation—a chance! Basically, Wisconsin's public-power program is simply this: Let the people by adopting the constitutional amendment on recapture or by forming a power district decide for themselves whether they want public or private operation of electric utilities. That is not radicalism. It is democracy.

Federal Control of the Power Trust

By DREW PEARSON

TWO years ago last March the Sixty-ninth Congress was attempting to end its last days without leaving too much work unfinished when Senator Walsh of Montana introduced a resolution. It was a measure deliberately calculated to make history and the history which it started is still being recorded. The resolution provided for a Senate investigation of the financial structure and the propaganda agencies of the Power Trust.

Walsh had hoped that in the stampede of legislation which always attends the closing days of any Congress, his resolution would slip by unnoticed. But it did not. The ever-watchful agents of the power companies got wind of it, and when unanimous consent was requested someone who had been tipped off objected. The resolution was sent to committee. There Walsh waged a lone battle. Against him was arrayed a battalion of the most high-powered lawyers the utilities could mobilize. Every kind of publicity which an astute corps of power-company propagandists could devise was brought into play.

Walsh fought on. Many members of his own party on the Interstate Commerce Committee deserted him. For days he stood at bay against the army of power-trust attorneys. Finally by a majority of one vote, a coalition of progressives of both parties reported his resolution to the Senate.

There he faced a fight even more bitter. The Power Trust redoubled its energy and its propaganda. Seeing that they could not entirely defeat the investigation, the utilities attempted to sidetrack it, and on the motion of Senator George of Georgia, whose largest campaign contribution had come from a power company, the investigation was snatched from the dreaded hands of Senatorial inquisitors and shunted to the supposedly innocuous Federal Trade Commission.

That was one year and one-half ago. But times change. Just before the summer recess of the present special session of Congress, Senator Couzens, now chairman of the Interstate Commerce Committee, also waited for an opportunity to pass a resolution. His measure likewise called for an investigation of the Power Trust. But whereas the Walsh resolution provided only for an investigation of the finances and propaganda of gas and electric companies, the Couzens resolution provided for an investigation of every possible phase of the power industry—from financing and propaganda to ownership and control, and including service and rates. It provided not merely for the investigation of gas and electric companies but of radio companies—meaning the

Radio Corporation of America; telegraph companies—meaning Postal and Western Union; and telephone companies—meaning the American Telephone and Telegraph Company. In fact there is no phase of the power industry or any branch of it which the Couzens resolution cannot investigate.

Senator Couzens made no secret of his resolution. The power interests must have been familiar with its tremendous potentialities. But they brought no battalion of lawyers. They unloosed no deluge of propaganda. Apparently the floodlight of publicity which the Federal Trade Commission had turned upon them had unnerved them and they feared to register publicly their opposition to further investigations. The resolution passed—unopposed. Yes, times do change.

But the Couzens investigation paves the way for greater changes. The resolution provides for hearings on the Couzens bill, which in turn is the most drastic plan for the control of the power and communications trusts yet before Congress. It lumps together all of the power activities of the nation, so far uncontrolled, and places them under the supervision of a commission similar to the Interstate Commerce Commission, which is to be called the Commission on Communications and Power.

It takes, for instance, the regulation of telegraph and telephone lines away from the Interstate Commerce Commission, which has been much too busy regulating railroads ever to pay any attention to these other two interstate carriers. It takes control of radio communication away from the Federal Radio Commission, which is to expire on December 31 anyway. And finally it takes over the Federal Power Commission in toto, and adds to its present functions the regulation of interstate power rates.

But to understand how sweeping is the regulation proposed by the Couzens bill, some conception of the present lack of regulation is necessary. The most important regulation which the bill proposes is that of the transmission of power between States. This came as an afterthought, and is one reason why so much importance is attached to the preliminary hearings during which the bill is to be rewritten. It so happens that after Senator Couzens had drafted his plan for regulating telegraph, telephone, and radio companies, a closer study of power disclosed that there exists today no means of regulating the rates which a company generating power in one State may sell it for in another State. There the problem becomes complicated. It becomes so complicated, in fact, that the federal courts have handed down

numberless decisions regarding the special contracts existing between cities in one State and power companies in another, most of which decisions vary and have been interpreted with even greater variance, so that some cities are in hot water with their utility companies most of the time. This interstate regulation is the greatest need in the power field today.

The only interstate check on water-power at present is that exercised under the Federal Water Power Act of 1920, which the Power Trust has done its best to manipulate, circumnavigate, and undermine. Passed during the last days of the Wilson Administration, this law was a compromise among those who advocated government ownership and operation of federal power sites and those who championed private exploitation.

A Federal Power Commission was established composed of three Cabinet members—the Secretaries of War, of the Interior, and of Agriculture. And because these gentlemen are always more engrossed in national defense, oil leases, and farm relief than in such nebulous questions as power control, the commission became the most inefficient and easily manipulated bureau in Washington.

Probably such Secretaries of the Interior as Albert B. Fall and Roy O. West, former attorney for Insull, took more than the average interest in the Federal Power Commission, but on the whole its management was left entirely to its executive secretary.

This key position was occupied for nine years by O. C. Merrill, a power-development enthusiast who wanted to see water-power used regardless of eventual public interest, and who has recently resigned to take a berth created for him by the Power Trust. It is now occupied by Frank E. Bonner, appointed only after Ray Lyman Wilbur, honest but naive when it comes to things outside his own particular educational field, had wired his old friend Paul Downing, president of the Pacific Gas and Electric, to see if Bonner was acceptable. Secretary Wilbur explains that he, personally, knew nothing about the qualifications Bonner should have, so he consulted someone who he thought would know—an illustration of the blessings the Power Trust has enjoyed under the present system of "absentee" commissionerships.

The duty of the Federal Power Commission is to grant fifty-year leases to private companies to develop the water-power sites of the federal government. Because of the "absentee" commissionership system the man who makes the chief decision in granting leases is the man who surveys the site—the commission's engineer. In three cases these engineers have resigned in order to take more lucrative jobs with power companies which had received leases from the commission, and in a fourth case one of them left to take a position with a power lobbying organization.

Since at the end of fifty years these leases expire and the power plant may revert to the federal government at a cost equal to the total investment minus the depreciation reserve, one of the most important duties of the Federal Power Commission is to inspect the accounts of the power companies. Here the Power Trust has resorted to the most persistent subterfuge in order to undermine the law. It has argued, first, that it may be its own judge of how large its depreciation reserve should be, and that its own directors may vote to add to the reserve only when profits are conveniently large, instead of carrying it as a fixed charge, as the Inter-

state Commerce Commission requires the railroads to do.

Again, the Power Trust has argued that it may charge to its capital investment the stock transfers, engineering and management charges rendered to subsidiary companies by the parent concern—all of which increase the price which the public must pay to recapture the plant at the end of fifty years, and also the rates at which electricity is sold during those fifty years.

The Couzens bill is drafted to change all this. Instead of commissioners who have large governmental departments under them and who can work at power regulation only in their spare moments, Senator Couzens proposes that his new Commission on Communications and Power shall be composed of five commissioners, who, like the members of the Interstate Commerce Commission, are experts in their field and devote all their time to this one problem. One of them is to be a specialist on water-power, another on radio, another on telegraphs, and another on telephones.

More important in the bill are the Couzens proposals for regulation of the transmission of interstate power. The Commission on Communications and Power is to undertake this regulation only when petitioned by State authorities, or by a "substantial number" of consumers. However, the commission reserves for itself the right to judge what comprises a "substantial number."

Instead of allowing the commission to be swamped with the job of interstate rate-fixing over the vast area of the United States, the Couzens bill provides for "joint boards" for different localities consisting of one representative from every State where power is produced and consumed. Here again the Commission on Communications and Power is to be the judge regarding what States shall be represented. The joint board is to hear all complaints, render decisions regarding rates, and when it cannot arrive at a decision, pass the question on to the commission at Washington. The commission always retains the right to take any case out of the hands of the joint board and to revise any decision.

One part which will be hotly debated empowers the commission to value the companies controlling interstate transmission. The holding groups have paid prices which are out of all relation to value. In New York State the excess payments amounted to \$202,000,000, and at that rate they are probably over a billion for the country. The utility-company support of this commission may be explained by a hope of manipulating it so as to saddle these excess prices on the consumers.

That, in brief, is the bill which has already received the support of some of the strangest bedfellows that ever championed a piece of radical legislation. It has the support, first of all, of the three cabinet members who now head the Federal Power Commission. All of them—Secretary of War Good, Secretary of the Interior Wilbur, and Secretary of Agriculture Hyde—agree that water-power regulation is far too important to receive only a fraction of their time. It has the support of that giant of the wires, the International Telephone and Telegraph Company. It has the support of that octopus of the air, the Radio Corporation of America.

Finally, if Mr. Hoover's friends are to be believed, it also has the support of the man who on the steps of the Capitol on last March 4 proclaimed that "because we substantially confer a monopoly limiting competition, we must regulate services and rates."

Governor Roosevelt's Power Program

By SAMUEL I. ROSENMAN

IN New York the people's fight for the control of power resources is a State fight because the law does not permit the city governments to go into the power business except by special act. For several years a bitter struggle has been in progress at Albany for the development of a State power program that would protect the consumers. A sharp difference of opinion as to the method of development has delayed the program.

With the exception of Governor Hughes the Republicans have favored leasing our natural water-power resources to private companies. Governor Smith and more recently Governor Roosevelt have favored State development and operation.

The plan proposed by Governor Roosevelt goes much further than State development. It provides that in the distribution of State-generated energy State contracts with the power companies replace the present unsatisfactory form of regulation. As far as the State water-powers go it involves the creation of a Board of Trustees to be appointed by the Governor, by and with the consent of the Senate, to be constituted as a public corporate entity. These power trustees would have no stockholders, but would be given the power to issue securities to be sold to private investors. These securities would be exempt from federal and state taxation and would be secured by the power structures to be built and by the revenues derived from the sale of water-power. The proceeds from the sale of the securities would, of course, be used to build the necessary structures at the source of supply and equip them for the development of the power. Interest and principal would be paid out of the proceeds to be derived from the sale of the electrical energy produced. The securities would themselves be the obligation only of the public corporation, the power trustees, and not of the State itself. In this way, neither the money of the State would be expended nor its credit pledged.

New York has already seen the successful working out of these principles in its New York Port Authority, which has built, and is still building, great bridges serving the port of New York, and is now planning other tremendous port projects, raising the necessary funds by the sale of tax-exempt, low-interest bonds, secured by and paid out of the revenues of the improvements constructed by it. In this way, bridges costing a hundred million dollars have been and are being financed and completed without pledging the credit of the State for a single penny, or requiring a single dollar of taxpayers' money (except as temporary advances).

Only the other week a bridge across Lake Champlain, connecting the State of New York with the State of Vermont, was opened to traffic. This bridge was built and financed under a similar arrangement. A bi-State commission appointed respectively by the governors of New York and Vermont built this bridge out of the proceeds of bonds issued by it as its corporate obligation and secured by the bridge and the revenues therefrom. In the same way, the necessary power structures could be erected by the proposed water-power trustees without ultimate cost or liability to the

State. There would be no stockholders to demand dividends; and interest rates would be kept at a minimum by the nature of the security and its tax-exempt feature.

The foregoing constitutes in brief outline that part of the New York water-power program which deals with providing the physical plant for transforming falling water into electrical current. It involves a definite declaration of the public policy of the State that the natural water-power sites in, upon, or adjacent to the rivers to be developed shall remain inalienable to the people; that all structures necessary to the development of hydro-electric power, including dams and power plants, necessary for the generation of such hydro-electric power, shall be built, financed, owned, and physically operated by a public authority in accordance with a plan to be approved by the Legislature of the State of New York.

So much for the question of developing the power. The other problem, which is of even greater importance to the consumers of the State, deals with the transmission and distribution of this current from the plant where it is developed to the industries and homes of the people of the State. Governor Roosevelt has announced, in the bill introduced at Albany last March, the definitive principles which should govern such distribution. They are (1) that the development, generation, transmission, and distribution of power shall be made in such manner and on such terms as to assure fair and impartial treatment to all consumers at the lowest rates compatible with a fair and reasonable return on the actual cost; (2) that the rates to be charged consumers for power shall be based on the cost of the service, considering only the actual capital outlays spent in plant investment and working capital, with a proper allowance for obsolescence and depreciation, and the necessary operating expenses (all to be determined in accordance with rules to be established by the commission), plus a return on the capital investment not exceeding the interest paid on borrowed money and dividend rates paid on preferred stock, not in excess of the rates currently payable on preferred stock at the time of its issuance, and not to exceed 8 per cent on all other capital actually paid in, in cash or in property; and (3) that such rates shall not be subject to the rate-regulating power of the Public Service Commission.

The change made by Governor Roosevelt in the plan proposed by Governor Smith consists of this definite declaration of policy in removing from the Public Service Commission all power to regulate the rates charged consumers for power secured from the State. Instead of utilizing the regulatory powers of the Public Service Commission the present plan proposes to substitute the method of contract with distributors of electric power. It is definitely provided that in fixing these contractual rates only four things are to be considered: the capital investment, allowing for depreciation; the actual operating expenses determined in accordance with fixed rules; the actual cost of bonded and preferred financing; and a return not to exceed 8 per cent on other capital investment.

The Governor, in his water-power message to the legislature last March, called attention to the present widespread belief in the ineffectiveness of the existing rate-regulating powers of the Public Service Commission. Indeed, during the last legislative session he proposed the creation of a commission to study the whole question of the powers of the Public Service Commission with a view toward revising the entire method of regulation of public utilities and other corporations coming within its jurisdiction. As a result of his recommendation there was created and is now functioning an investigating commission charged among other things with the duty of recommending necessary amendments in the Public Service Commission law for better regulation.

When public service commissioners were first created in this State and in other States, one of the basic purposes was to protect consumers by providing fair rates based on a fair return to private capital. The principle was adopted that profits from private capital engaged in a public-utility enterprise should be limited to a fair return only, and that when greater profits than such a return were earned they would be passed back to the consumer in the form of lower rates.

Since that time, this original protection for the consumer has been to a large extent nullified. Recent court rulings involving replacement value, "going value," so-called good-will, return on capital, and allowances for reserves, have made legally possible investment returns never dreamed of by the framers of the original public regulatory theory. For that reason, the Governor has sought to avoid the rate-regulating powers of the Public Service Commission as applied to the water-power to be developed by the State. The plan, therefore, contemplates that the board developing the power should ultimately enter into contracts with transmitting and distributing companies under which a fair price to the consumer will be guaranteed. It is a method frankly based on a theory of contract rather than a theory of regulation. Of course, the bill provides that the board should submit any such contract to the legislature for acceptance, rejection, or modification before executing it.

This plan, it is believed by the Governor, provides a definite protection to the consumer, in that it makes the right to have power from the power station depend absolutely on a fixed maximum return on actual investment, with books kept in accordance with rules fixed and agreed upon in advance. The details of the actual construction and transmission would, of course, have to be worked out by the power trustees themselves and would require approval by the legislature. The engineering phases of the problem, the necessary negotiations with the representatives of Canada and its Provinces, the question of the necessity of a federal treaty and of federal legislation, the conferring with power interests for the purpose of arranging the contract, and the details of financing would all have to be looked after by the trustees, but only in accordance with the foregoing principles of public policy as declared in the bill.

This proposed method of distributing electrical energy by contract increases the importance and danger of the recent power merger created by the formation of the Niagara Hudson Power Corporation to take over the capital stock of the Buffalo, Niagara and Eastern Power Corporation, the Northeastern Power Corporation, and the Mohawk-Hudson Power Corporation. This merger may create such a monopoly of electrical distribution in New York State, outside of the

metropolitan area of New York City, that aside from the question as to an actual violation of the State anti-monopoly laws it may put the State to a marked disadvantage in obtaining a proper contract for such distribution. Instead of negotiating with a number of competing companies for fair contracts, the State will apparently be compelled to treat with a single monopoly. However, if a fair contract cannot be obtained from existing distributors, Governor Roosevelt has by fair warning indicated the alternative step in the administration policy. In his message of March 12 he said:

I want to see something done. I want it done in accordance with sound public policy. I want hydro-electric power developed on the St. Lawrence, but I want the consumers to get the benefit of it when it is developed. They must not be left for their sole protection to existing methods of rate-making by public-service commissions. Are the business men of this State willing to transmit and distribute this latent water-power on a fair return on their investment? If they are satisfied, here is their opportunity. If not, then the State may have to go into the transmission business itself. It cannot on the one hand let this power go to waste, nor on the other be required to yield to anyone who would aim to exploit the State's resources for inordinate profit.

We shall soon know whether or not such a contract can be made. If the trustees can make it and it commends itself to the people of the State, then the legislature and I will approve of it and we can go ahead. But, if no such contract can be made, we shall know the reasons why and protect ourselves accordingly. I want to be in accord with sound business principles. I believe there are enough good business men in this State who see this problem as clearly as I do and will be glad to join with the State in this endeavor. I want to give to business this big opportunity to participate in a public service.

In other words, if a proper and reasonable contract cannot be made which will protect the consumer, the State itself may be forced into providing systems for transmitting this electricity.

The Republican legislature has rejected completely the Governor's plan. It has refused to subscribe to the principles of public policy formulated in his message. Its continued opposition over a period of six years to such a proposal indicates that it will not accept a progressive power program until the force of public opinion compels it. Observers at the Capitol at Albany are doubtful whether this opposition represents the real opinion of the rank and file of the Republican Party. The leadership of the Republican Party, however, appears to be unalterably opposed to this policy of development. How long the Republican political leaders can withstand the force of public opinion in this matter is purely a matter of conjecture.

The issue is clear. It is the interest of the consumers on the one hand, represented by the State, and on the other the interest of those who would use the resources of the State for inordinate profit. Reasonable and fair profit is assured. Does Big Business insist upon exploiting the property of the State for inordinate profit? If so, then, as Governor Roosevelt points out, the State of New York as a matter of self-defense may have to go into the business of transmitting and distributing electricity, as the Province of Ontario has done so successfully.

In the Driftway

IT is odd how many persons, in reading a book, omit the preface. The Drifter would never think of such a thing. He believes that the preface—when there is one—is, if not the most important part of the book, at least essential to beginning it. For a reader to ignore the preface is foolish on his own account and unfair from the standpoint of the author. For it is in the preface, as a rule, that an author explains the scope and purpose of his volume and the circumstances connected with its writing. He gives just the material, in other words, which a real reader always wants as an approach to a book, and which an author is justified in asking anybody to acquaint himself with before attempting to pass judgment on the writing. Sometimes the Drifter reads the preface to a book and skips the rest, but he never skips the preface and reads the rest. The Drifter is also a careful reader of dedications. They are not as important for understanding or judging a book as prefaces, but they often convey a note of human interest which it is a pity to miss. Sometimes, too, dedications contain some light on the reason for a book which the careful reader will like to have, as in Bernard Shaw's "The Intelligent Woman's Guide to Socialism and Capitalism," which is inscribed "To my sister-in-law, Mary Stewart Cholmondely, the intelligent woman to whose question this book is the best answer I can make."

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ON the whole, it is the dedications of books on the sea which the Drifter most enjoys, for sailors are a romantic folk whose inscriptions are often elaborate and convey a good deal in regard to the writers' personalities. Nothing could be briefer or tell less than Joseph Conrad's dedication of "Youth," which is simply "To C." On the other hand, "The Rescue" bears the following dedication: "To Frederic Courtland Penfield, last ambassador of the United States of America to the late Austrian Empire, this old-time tale is gratefully inscribed in memory of the rescue of certain distressed travelers effected by him in the world's great storm of the year 1914." Sir Bertram Hayes, formerly commodore of the White Star Line and commander of the steamship Majestic, makes a wide gesture in his volume of reminiscences, "Hull Down," which is "Dedicated to all my friends afloat and ashore." That is too broad for anybody to get much kick out of it. On the contrary, William McFee's first book, "An Ocean Tramp," opens with a statement that is highly personal: "To A——— R———." Below this are the lines from Heine: "She was lovable, and he loved her. But he was not lovable, and she did not love him."

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PROBABLY wives are the ruling favorites for dedications, though mothers press them hard and might turn out to run ahead if anyone wanted to compile the statistics. (So many useless statistics have been compiled already that somebody ought to be fool enough to tackle this job.) Fathers run well behind and husbands are practically left at the post. Morgan Robertson, in his "Spun-Yarn," has a tribute which is nicely conceived and gracefully phrased, as follows:

Dedicated
To the memory of
My Father
CAPTAIN ANDREW ROBERTSON
A good man, and a strong one
the ablest seaman
I have known.

* * * * *

WHEN sailors dedicate books to their wives they generally manage to refer to them as "shipmates," "pilots," or something similar, and the inscriptions usually contain a good deal of treacle, for sailors are notoriously sentimental about women. (If it weren't so catty the Drifter would add that sailors are sentimental about women because they see so little of them.) Sam Noble dedicates his volume of reminiscences "To Jeanie, my wee pilot," while Frederick Perry, in his "Fair Winds and Foul," cuts loose with this: "To the most tyrannical but just and lovable little captain that ever trod the quarter-deck of the good ship Matrimony, my wife, this book is affectionately dedicated by the author." But the Drifter's favorite dedication is to be found in a volume published last year on Donald McKay, builder of clipper ships, by his grandson, Richard C. McKay:

To the Memory of
ALBENIA BOOLE MCKAY
and

MARY CRESSY LITCHFIELD MCKAY

Who both gave Donald McKay every evidence of love and affection, and made possible much of their husband's success, this volume is dedicated.

THE DRIFTER

Correspondence

The Facts About Gastonia

TO THE EDITOR OF THE NATION:

SIR: As one of the counsel of the Gastonia strikers want to register my objection to misstatements of fact made in your magazine. In your issue of July 31 you state: "Out of the darkness came shots fired from shot guns. They seemed to come from the small building used as union headquarters. The police were struck, one died, and two were injured. These are the facts the prosecution will try to establish, but these are not the facts in this case."

The facts which I gathered after interviewing more than 100 witnesses, good, honest, Christian folks who would rather see sixteen persons die in the electric chair than tell an untruth are as follows: The strikers formed a picket line and marched toward the mill. They were met by the local Gastonia police who were drunk. They were blackjacked, kicked, and cursed. The strikers offered no resistance, but went back to their ten colony. The police on the picket line threatened that they would come down that night and clean out the bunch of "white trash." About a half hour later the police arrived at the ten colony. With drawn pistols they ran up to the guard, blackjacked him, and took his gun away from him. One of the officers then shot at the strikers. Immediately another officer fired at the headquarters. Then the workers shot. The police fired the first shots which were pistol shots. The workers shot in self-defense only after the police fired.

The "Committee of 100," the vigilante committee organized by the Manville-Jenckes Company, were ready to follow the police at a given signal. They were armed with guns at the Loray mill and given liquor to bolster up their courage. They were delayed only by a long drilling freight train.

Trenton, N. J., August 13

LEON JOSEPHSON

[We did not assert in our editorial of July 31 that the strikers fired first or that the police fired no shots at the strikers. We studiously avoided making such statements because up to that time no affidavits had been produced to show whether the police fired at the strikers and whether any strikers were struck by police bullets. Recently the defense counsel of the Gastonia prisoners has supplied us with a series of affidavits indicating that the police opened fire upon the strikers after deliberately making plans for an attack. As to the truth of these affidavits we cannot vouch, but we are glad to present this view of the tragedy to our readers.—EDITOR THE NATION.]

Doctor Robinson

TO THE EDITOR OF THE NATION:

SIR: Your editorial on Sanity and Sex in the issue of September 4 should evoke the gratitude of all friends of civilization and decency. It is a straightforward gesture in a dangerous field.

In one respect only would the writer suggest an addition. In mentioning some representative names on the International Committee of the World League for Sexual Reform you omitted, probably quite unconsciously, the name of the American who has done more than any other of his countrymen to promote a humane and civilized attitude toward sex—namely, Dr. William J. Robinson, editor of the *Critic and Guide* and author of many wise and useful books on diverse aspects of sexology. We are prone to overlook the work of pioneers. At a time when the researches into sexology carried on by the writer of these lines were limited to observing pictures of Anna Held in tights, and at a time when Calverton, Schmalhausen, et al. existed only as cosmic potentiality, Dr. Robinson was raising his hand almost unaided against the prudes and purists and advocating a medical and sociological attitude toward sexual problems. In a day when neither Margaret Sanger nor Norman Haire had ever heard of a contraceptive device, Dr. Robinson was establishing his position as the first effective American advocate of birth control. By converting the late Dr. Abraham Jacobi to the birth-control position, he did more than any other American to give birth-control respectability in the medical profession.

Northampton, Mass., August 3 HARRY ELMER BARNES

The Candy Rat

TO THE EDITOR OF THE NATION:

SIR: Apropos of Fashions in Food in *The Nation* of August 7, why, oh why was the candy rat forgotten, overlooked, neglected, unmentioned? This slight grieves me. Do you not recall the candy rat—marshmallow, chocolate, (cream, not "milk") coated? His price was one penny.

Each Christmas the candy rat was to be found in the toe of the bulging stocking. Christmas, and life itself, are not quite the same, now that the dingy glass cases no longer shelter the candy rat. We've hunted for him in vain these many years.

RACHEL MAYER KNOTT

Morro Bay, California, August 8

Contributors to This Issue

H. S. RAUSHENBUSH is the author, with H. W. Laidler, of "Power Control," and also of a forthcoming book, "We Fight for Power." He has been secretary of the Committee on Coal and Power.

GEORGE W. NORRIS is Senator from Nebraska.

ALVIN C. REIS is chairman of the Committee on Judiciary of the Wisconsin State Legislature, and has led the fight for the power program which he outlines.

DREW PEARSON is a Washington correspondent of the *Baltimore Sun*.

SAMUEL ROSENMAN is counsel for Governor Roosevelt.

ADA HASTINGS HEDGES frequently contributes poetry to the magazines.

WILLIAM MACDONALD is a regular contributor of historical and political reviews to *The Nation*.

HENRY RAYMOND MUSSEY is managing editor of *The Nation*.

JOSEPH T. SHIPLEY is at work on a book of literary criticism.

EDA LOU WALTON is the author of "Dawn Boy: Black-foot and Navajo Songs."

JOHN HAYNES HOLMES is pastor of the Community Church of New York.

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Books and Drama

Summer

By ADA HASTINGS HEDGES

If there should come a wet wind from the sea
To freshen at the heart these hills that parch
Beneath the sun, and if more tenderly
The light should fall from the relenting arch
Of sky, or shadow cooled by rain should fold
In silver mist these broken slopes, subdue
And comfort them, their naked breasts might hold
The peace of forests, dim and veiled and blue.

The desert has its sorrows: dust for dreams
Of mist and trees to soften each contour
Too sharply drawn—of showers and of streams
Implacably withheld by some old foe;
And somewhere in these hills must still endure
A hunger such as only deserts know.

The Great American Tragedy

The Tragic Era. The Revolution after Lincoln. By Claude G. Bowers. Houghton Mifflin Company. \$5.

THE story of the twelve years which followed the death of Lincoln has many times been told. Professor John W. Burgess, for example, has scrutinized with withering acumen the extraordinary vicissitudes which the Constitution underwent at the hands of radical Republican politicians, and the late Professor William A. Dunning made some enlightening observations on the political as well as the constitutional phases of the period. Rhodes labored valiantly through it, struggling to give a semblance of order to its sadly tangled elements. We have had a few illuminating biographies and books of reminiscence and a few studies of particular episodes. Not until Mr. Bowers, however, has any writer caught the note of vast and ghastly tragedy that sounds persistently through the long years of reconstruction—a tragedy so great and dreadful as to make the very name of popular government a by-word and leave the record of the Republican Party indelibly stained. "I have sought," Mr. Bowers tells us, "to recreate the black and bloody drama of these years, to show the leaders of the fighting factions at close range, to picture the moving masses, both whites and blacks, in North and South, surging crazily under the influence of the poisonous propaganda on which they were fed." What Mr. Bowers set out to do he has done, and done it brilliantly and with power.

The elements of tragedy in these dozen years could not have been better chosen if the great corrupter of mankind himself had selected them. A defeated, disrupted, and humiliated South, its white population, in the main, branded with disloyalty and its Negroes an ignorant and barely civilized mass; a victorious North flushed with the success of a kind of holy war and reveling in an insubstantial prosperity; an arrogant and corrupt majority party bent upon riding rough-shod over all opposition; an adventitious President whom nobody wanted and another who merited contempt; a horde of politicians and hangers-on in Congress and out, with only here or there a leader of substantial parts: such were the major factors in the spectacular political game. It was admitted that the rebellious

South must in some way and at some time be restored to political fellowship in the Union, but the idea of union had been seized upon, even before the fighting ended, as a golden opportunity to make a radical Republicanism supreme. The wrath of heaven visited upon secession was to be turned to partisan advantage; the voice of the people was to be heard only through a Republican machine; while as for the Constitution—let that scrap of paper go hang! Thus was the overthrow of slavery to be celebrated, the Union preserved, and the great experiment of self-government advanced toward completion.

The main ground of controversy was clear from the first. The death of Lincoln left to Andrew Johnson the development and execution of a reconstruction program whose success depended upon the loyal cooperation of the Southern whites, but in which Negro suffrage found no place. Perhaps the program was too generous, but to the Republican radicals it was an anathema. Without the Negro, Republican domination of the South was impossible, and Republican domination was the aim of reconstruction. Hence the twelve dark years of frightfulness, political, military, social, of flagrant violation of the Constitution, of ignorance, greed, corruption, and moral degeneracy in government the like of which no other country has ever known.

Mr. Bowers will not be hailed by scholars as a constitutional historian, and a good deal of the politics that has usually been made prominent in histories of the period is relegated in his book to second place. To be sure, he tells us all that most readers will need to know about Johnson as President, the history of the great reconstruction legislation, the course of military government in the South, the orgies of carpetbagism, the rise and fall of Negro suffrage, the impeachment trial, the colossal ineptitude and corruption of the Grant regime, the Liberal Republican movement of 1873 and the financial crisis of that year, and the Hayes-Tilden contested election. But his main concern is rather with the personal characteristics and conduct of party leaders in both sections, the heated and vitiated atmosphere which Republican politics created and in which the political life of the country went on, the social setting at Washington and in the South, and the harsh conflict of theories, prejudices, ambitions, and resentments which continued until the Republican hold had been broken, and a solid South had recovered, in some measure at least, its political independence.

It is here that Mr. Bowers, laden with the fruits of formidable research, makes his distinctive contribution. He takes us behind the scenes at Washington, from the Capitol and the White House to the boarding-house and the bar-room. We go with him on tours of the South, into the homes of the people and to the State capitals where black and tan governments held sway, and again into the Republican plotting places of the North and with Johnson on his calamitous speaking tours. We meet Ashley, "this delectable creature" of Republican domination; Thaddeus Stevens, "picturesque old thunderer" and evil genius of the party which he terrorized; Stanton, "molded by nature for conspiracy, if not treachery," and a long list of others who professed to serve truth and justice. The drawing-rooms of the capital open their doors, and we meet the brilliant Kate Chase Sprague, Mrs. Belknap, Mrs. Hamilton Fish, and other hostesses of a society which moved in elegance and dripped corruption. The pen-pictures are innumerable, and catholic in their range: Blaine, Conkling, Greeley, Jim Fisk and Jay Gould, Schurz, Sumner, Ben Butler, Garfield; some of them figures clean and straight like Charles Francis Adams, some, like Greeley, the playboys of ineffectiveness, some daubed with evil beyond all hope of rehabilitation.

Mr. Bowers does not write as if he were wholly impartial, and some of his readers will doubtless feel that his zeal as led him to lay on dark colors with a heavy hand. His defense of Andrew Johnson, for example, seems to be at least all that the evidence warrants, and by so much as Johnson's virtues are magnified the vices of his enemies are blackened. It is the prevailing limitation of downright writing, and Mr. Bowers is downright indeed. The sterling merit of his book is its altogether remarkable recreation of the spirit of the time. If he has dealt severely with great reputations, he has also rescued many lesser ones from neglect. The spokesmen of the South are given a hearing and women lobbyists are unmasked. There is no history of the sordid epoch better worth reading, one better calculated to destroy respect for Republican morals, and none more certain to give its readers shocks and thrills.

WILLIAM MACDONALD

The Crisis in Power Control

Electrical Utilities: The Crisis in Public Control. By William E. Mosher and others. Harper and Brothers. \$4.

WILLIAM E. MOSHER and his associates have written an arresting book, of great value to the student of power control. Syracuse University may well be proud that such a book comes out of its School of Citizenship and Public Affairs. The authors assume that the power industry exists to furnish power to the public efficiently and cheaply: "The electric-power industry performs an essential social function. The State might perform this function. When it leaves it to the industry to do so, the industry acts in a way as an agency of the State." As public-service enterprises, power companies, in accordance with well-established legal principles of great antiquity, are subject to regulation by the State, and (to anticipate the argument) if the companies manage to make regulation ineffective, then public ownership and operation will in due course almost inevitably follow.

Every State in the Union except Delaware has a regulatory commission of some kind, but in seven of them the commission is wholly lacking in jurisdiction over the power industry. The thirty-nine regulating States altogether spend less than \$2,000,000 a year on the control of power companies, while the New York Edison Company alone has already spent more than \$4,000,000 fighting a single case brought by New York City in 1925 for lower rates. As the companies can charge back upon the public in rates the enormous expense they are willing to lavish in fighting effective regulation, even the best of commissions has a rocky road to travel—and by no means all of the commissions are unduly good. Furthermore, in recent years they have unfortunately shown an increasing tendency to regard themselves as judicial bodies rather than militant defenders of public rights.

But even at best the commissions are sharply limited by the courts, and at worst are rendered well-nigh powerless in the matter chiefly important, namely, rates. This book contains a careful and eminently fair review of the leading cases, and the writers conclude that on the whole the courts are becoming more liberal in their attitude toward administrative bodies, but that the Supreme Court has left the lower courts and the commissions in a state of great uncertainty because of the unclarity of its own principles of rate making. Under the decisions a utility company is entitled to charge rates yielding a reasonable return on the property employed—and here we plunge into the valuation morass. Many people think that the court has gone over bag and baggage to the disastrous basis of reproduction cost. The dicta of the court, notably the language of Mr. Justice Butler in the Indianapolis Water



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Company case, lend much color to this idea, but the actual decisions of the tribunal, as the careful analysis of the present volume shows, have by no means closed the door on the prudent-investment theory, or indicated that the court regards reproduction cost as more than one among many elements in valuation. But the dictum of the court has been carrying quite as much weight with the lower courts and the commissions as its action. "The Massachusetts courts alone have consistently maintained capital honestly and prudently invested and devoted to a public service as their rate base." If this principle, which was challenged in 1927 in the Worcester Electric Light case, ever comes to the Supreme Court and the court makes a clear-cut decision that the utilities are entitled to a return on the basis of present reproduction cost and not of prudent investment, then, in the words of our authors, "the outlook for order in rate regulation will be far from bright"; the rate base will be so raised as to prevent any considerable rate reduction for a long time to come, and the hand of advocates of public ownership will be much strengthened.

The direction of utilities by holding companies exempt from public control (essentially the present situation) is good for the holding companies and bad for the public, to put bluntly the findings of Dr. Mosher and his coworkers, and it is essential that holding companies should be brought under public regulation. Intercompany financial transactions must be made clear and public. Moreover, with eighteen States exporting from 10 to 92 per cent of the power they generate, and with seventeen importing from a tenth to a half of the power they use, there is no authority, in the absence of congressional action, for the regulation of the wholesaling of power across state lines. Thus, with the development of interstate power transmission, the companies get more and more out of hand. And through it all, the purring motor of the power industry's enormous propaganda machine has lulled the public into complacent sleep. If anyone doubts it, let him read the sober and restrained chapter of this book on the subject.

The investigators conclude, accordingly, that we have reached a crisis in public control. Public complacency, if it continues, will let the utility management continue to exploit the industry, as it has done in the past, for profit—plenty of it. State commissions must be given power and funds to fight for the rights of the public; they must have power to audit accounts; they must be given jurisdiction over holding companies. There must be effective federal control of companies operating across state lines. There must be prompt decision about utilizing great resources like Muscle Shoals, Boulder Dam, and the St. Lawrence in order to lower rates to consumers. Above all, the rate basis must be fixed. Till that is done, control is impossible—and already the Philistines are upon us!

In the second part of their work, the authors examine various more or less effective methods of control now in use, aside from our regulatory commissions. They study the law proposed in Massachusetts whereby all future grants would be refused to any utility that did not agree by contract to accept the State's system of regulation, and they explain fully the possibilities of regulation through the so-called contract system as it might be developed by state and federal authorities. They point out the possibilities of rate control through federal development of the great power resources combined with contracts with private or municipal corporations for distribution on terms strictly determined. Their chapter on the Ontario Hydro-Electric will be a joy to honest men bewildered now and again by some fresh smoke-screen of propaganda and falsehood concerning that enterprise put forth by the National Electric Light Association and its cohorts. With complete fairness, but with merciless clearness, they point out the basis of inaccuracies in these biased reports, and the Hydro

emerges for what it is—a successful example of public operation on business principles, with high standards of service, and with a proud record of gains to consumers of all classes.

The English plan of integration of public and private enterprises under a single authority, designed ultimately to create a unified national system, is little known in this country, and the description of it in this book should stimulate the study it deserves.

After pointing out the really surprising degree to which the power industry meets the economists' tests for a public-operated industry, and showing the almost insuperable obstacle in the way of present expansion of government ownership in this country, Dr. Mosher and his associates go on: "It may be confidently predicted that the present policy of high rates, of resisting control at every point, of secretiveness with regard to financial operations, and of the dubious manipulation of public opinion will be but the initial step in the direction of public-power monopoly. The alternative and the only safe policy for a public-utility enterprise is acceptance of such changes in the regulatory system as will eliminate the unfortunate practices which have grown up in recent years." Their final conclusion may well be taken to heart by the utility leaders, apparently drunk with pride of power: "The primary and most urgent need in the electrical utility is public-spiritedness among the responsible leaders." Amen!

HENRY RAYMOND MUSSEY

Baudelaire

The Cult of Beauty in Charles Baudelaire. By S. A. Rhodes. Columbia University: Institute of French Studies. Two volumes. \$3.

DR. RHODES performs a useful service in reminding us of what even Paul Valéry had forgotten, that Baudelaire's "debt" to Poe was, as the dates show, an affiliation through brotherhood, not discipleship, and that Poe's debt to Baudelaire is largely the recognition of the world. Indeed, there is little about Baudelaire that these two volumes do not display: the poet's keen response to life through each of the five senses; his views on prohibition, his anguished search for spirit through flesh, for God through Satan. Tennyson once protested that more persons than Horace had heard the sea moan; T. S. Eliot, foreseeing pedantic discussion of his own work, tells us the phrase "sylvan scene" in "The Waste Land" occurs earlier in Milton; and Dr. Rhodes, undeterred, assures us that Marcel Proust copied Baudelaire because, in a similar situation, one word is repeated—only in Proust the theme has "reached a lower degree of depravity" because Baudelaire drew down the shades which Mlle Vinteuil and her Gomorrean (sic) friends leave open!

It is good to see Dr. Rhodes stress Baudelaire's insistence on the idea Jonson pointed: "To judge of poets is the faculty only of poets, and not of all poets, but the best"; but his effort to "establish a bond between" his "own perceptions and those of the poet" are too labored. No man who writes "like we," "everybody in Balzac . . . have genius"; who discusses the flawlessness of the poet, his sense that every idea has its one perfect expression, and adds "It is up to the artist to discover it"; no one who translates Baudelaire—Baudelaire, whose style was "as polished as his finger-nails"—into such English as "I am writing now a Salon, without seeing it," can be expected to attain the spirit of the man. This work is offered, not as a translation, but as an original American study of the French poet; and there is indeed no question that those whom the poet himself has inspired will here be, if nothing else, informed

JOSEPH T. SHIPLEY

Indian Lore

Book of Indian Tales. By Charles Erskine Scott Wood. The Vanguard Press. \$2.

IN this volume the well-known Western poet and author of "Heavenly Discourse" retells Indian tales which he heard during his army career as a young man on the frontier. He makes no attempt to ascribe the tales to any tribe or to give analogies or to be exact in the spelling of Indian names. Most of the stories are those of the Northwest coast tribes. The book, of course, contributes nothing to anthropological collections; it does not attempt to do so. Its purpose is purely romantic: the recreation of the vast mountainous and desert lands where the native peoples clothe their teleological and imaginative lore their tribal habits and beliefs. The tales give one colorfully the atmosphere of early Western days and demonstrate the Indians' methods of thinking through life. Their authenticity need not be questioned since the book is unscientific in its purpose.

One of the best of the tales is not Indian at all. It is the venerable poet's own deep desire clothed in a psychological pattern akin to that of several of the Indian stories. This, the last of the collection, is the story of the long search for the land where death is not. Here, because the poet is sincere, the language and method of narrative reach their highest intensity. The book is worth while for this story alone.

The volume may appeal to older children, but it has been written rather for minds that love primitive thought and vision. Many collections of Indian tales exist; the peculiar value of this volume lies in the fact that Mr. Wood heard the stories and has retold them after his own fashion.

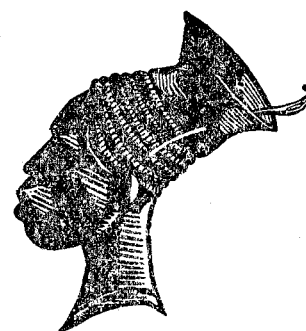
EDA LOU WALTON

Contrasts

Nobel: Dynamite and Peace. By Ragnar Sohlman and Henrik Schuck. Cosmopolitan Book Corporation. \$5.

THE double-compartment mind is more or less of a commonplace in religion. Michael Faraday, whose researches and discoveries mark an epoch in the history of physical science and yet who believed without doubt or question the most extravagant superstitions of orthodox Christian faith, had such a mind. But this double-compartment type of mentality is more common outside the field of religion than we sometimes imagine. Alfred Nobel, for example! Here is the immortal discoverer and manufacturer of dynamite, ballistite, and other fast explosives which have made war at last the most ghastly error of the world, and at the same time a passionate lover of peace who glorified the cause by lifelong service and reward. These biographers of the great Swedish scientist recognize that "it seems inconsistent that a man who devoted so much energy to warlike inventions should at the same time have been a pronounced pacifist," and confess that he was "sensitive to the incongruousness of his work with his pacifist sentiments." They insist, however, that along with his scientific genius there was "the eternal idealist" in Nobel. But this is a mixture more mysterious than that of dynamite itself, and it takes a more profound and penetrating study than is contained in this pedestrian and purely external story of the man, to explain the combination. The book has neither literary merit nor historical importance. Its chief value is to be found in its account of the world-famous will, and in its record in the appendices of Nobel's patents and of the Nobel Prize winners.

JOHN HAYNES HOLMES



THEN I SAW THE CONGO

Grace Flandrau

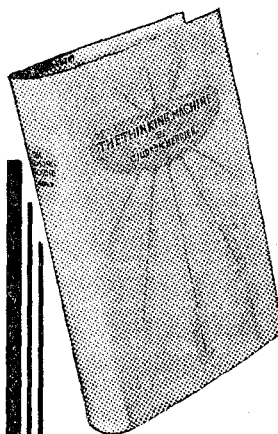
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THE THINKING MACHINE

By C. JUDSON HERRICK

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Fiction Briefs

Ex-Wife. Anonymous. Jonathan Cape and Harrison Smith. \$2.

This thin volume purports to be the true story of a woman who was discarded by her husband, and who sought forgetfulness in promiscuity. Her rather lurid career terminated in a sincere passion for a married man. When he left her, she died emotionally, and her final remarriage was merely a passive half-humorous acknowledgment of loneliness. It is evident that the dramatic sequence is exaggerated and that even the more prosaic details of her flight from memory are theatricalized. Nevertheless, the narrative seems to be authentic; it has a certain intangible quality of truth. Whether it is true or not, however, the book is an interesting portrait of a particular type of post-war woman. Her flippant cynicisms, her nonchalant observations on sex, divorce, maternity, and freedom reveal the soul of those young, irresponsible women who have accepted too literally the maxims of Omar, and to whom life has become simply a thing to forget in cocktails and jazz. These incidental epigrams, by the way, are far more interesting than the adventures of the ex-wife who willingly submits to a man whether she loves him, hates him, or is indifferent to him.

Chronicles of a Gigolo. By Julian Swift. Horace Liveright. \$2.

This book will probably annoy, and may enrage, those who like to have pleasant distinctions made in their favor. Such readers will be disconcerted in noting how little difference there is between so-called perversion and so-called normalness. They may be surprised to discover how really fine and genuine a person Julian Swift is. Perhaps they will see that this professional dancer has accomplished a good deal, and that the epitaph suggested by one of his clients, "He amused someone," means much. Julian is unsure, clever sometimes, sometimes smart, but the latter we forgive because it is so obviously a defense against a world which openly sneers and covertly slips a five-pound note into one's hand for services rendered. The very defects of the man contribute to an extraordinary self-characterization.

Plus and Minus. By Franz Harper. Translated from the German by Derick Wulff. Covici-Friede. \$2.50.

The hero of this ultra-modern German novel knows "no other morality than to kiss and no other philosophy than to be happy." Dominated by runs of good and bad luck which bring alternate success and failure to his undertakings, he creates and exploits a robot in an attempt to win a beautiful compatriot. Mr. Harper's book belongs to the genre of "The Madonna of the Sleeping Cars," and provides diverting light reading. The complications which arise in Fedor Harolsen's pursuit of his lovely lady, together with the swiftness of the action, afford compensation for a style that is somewhat chaotic and for the strained sophistication and rather wearing animation of the characters.

The Eater of Darkness. By Robert M. Coates. The Macaulay Company. \$2.50.

Both Robert Coates and his first novel are extremely interesting phenomena. For our knowledge of the author we are indebted to Malcolm Cowley, who contributes a critical portrait to the book-jacket. We learn that Mr. Coates is famous everywhere except at literary teas, that he is discussed in Montparnasse, Harlem, Normandy, Broadway, and the Riviera, that he collects matches and mechanical puzzles, and that although he is unknown to the general public, taxicab drivers and the cognoscenti know him very well indeed. The novel itself is an incredible compound of vaudeville and poetry. When

the author is not burlesquing the "scientific" detective story with its voluminous footnotes, he is rhapsodizing on the Palesades at sunset. Stray bits of literary gossip, brief ecstatic ton poems on downtown New York, melodramatic murders, million-dollar robberies, and whatever else the author happens to think of are strewn indiscriminately over the pages. The result, surprisingly enough, is one of the most amusing novels of the season. According to Ford Madox Ford, it is a Dadaist novel. This should prove that if Dadaism is not taken too seriously, its very unintelligibility may become quite intelligible.

Outsiders. By Josephine Benthall. Rae D. Henkle Company. \$2.50.

This is the first time, to our knowledge, that an author has personified in the character of a woman the spiritual confusion that belongs so definitely to this generation. More important than the story of Leslie and Paul's incompatible marriage is the study of Leslie's uncertain relation with life. Were Miss Benthall able to construct a plot as well as she describes Leslie, "Outsiders" would be an important social novel. As it is, Paul and the other characters are not made sufficiently integral to the theme to afford the necessary contrast; they are too casually introduced and poorly handled. The episodes, also, lack all structural connection and the prologue and scenes in the first chapter are inexcusably awkward and unsatisfactory. In fact were it not for the dialogue the style of the book would be negligible. Fortunately, the conversation is vigorous, personal, and idiomatic.

Farmer, Have You a Daughter Fair? By Mike Wallach. The Vanguard Press. \$2.50.

The subtitle is: "A Traveling Salesman Meets the Man-selles from Armentières," and the blurb informs us that the "book describes one phase of the World War sadly neglected by historians." This jocular, nudge-in-the-ribs ballyhoo is hardly confirmed by the contents, which are sufficiently banal. From them we learn that when Mr. Wallach had ten francs in his pocket he made a bee-line for the nearest lady of joy; but this can hardly be considered a revelation. Mr. Wallach winds up his trifling smoking-room narrative with a priceless Al Jolsonism: "One more week and discharge! Then a family reunion at home with hearts overbrimming with tearful joy. I sat into my own bed that night, and closed my eyes, vainly seeking sleep. Many times my mother tip-toed into the room. I heard her sigh softly." The book has a certain slight value as a record of the war-reactions of one who was entirely without any emotional relation to the struggle.

Drama

Mauve Decade—With Music

I HAVE never attempted to conceal my genuine—if temperate—liking for what is commonly regarded as the vulgarst type of American musical entertainment. Where speed, nakedness, and noise are glorified with the abandon which characterizes the most frenzied of our revues, I revel sedately and am not bored unless the producer aspires to better things. Jazz and black jokes may be exceedingly elementary forms of art, but they are at least genuine and hence infinitely preferable to the attenuated pseudo-gentility of most operettas with its fourth-rate romanticism and those tinkling little tunes which are nothing except feeble examples of respectable music. "Refined" has always seemed to me the most damning adjective which can be applied to a musical show, and though

often remain in my seat as long as the dancing is furious enough, nothing except a hurried exit can save me from a lasting fit of depression when a hero and heroine begin to take the moon seriously.

All this is by way of preparing an emphasis for the statement that, despite my adherence to the opinions just enunciated, I nevertheless found very pleasantly beguiling the new entertainment which Oscar Hammerstein 2d is sponsoring and to which, for no very persuasive reason, he has given the name "Sweet Adeline" (Hammerstein Theater). It is, to be sure, a musical comedy rather than a revue. It has, that is to say, a plot which is being remembered at least half of the time and it makes no use whatever of the appeal of bare skin. Yet it manages, nevertheless, to be both lively and entertaining, and I am inclined to attribute this (to me at least) surprising fact to two circumstances: (1) The librettist exhibits some signs of that intelligence and wit which seem generally denied those who compose librettos; and (2) several of the performers are possessed of talents first rate in their kind instead of being, as the stars of semi-serious musical comedy usually are, merely people whose voices are not good enough for opera.

The scene is laid in the gay nineties, and though the humorous possibilities inherent in the quaint ways of our immediate ancestors have been recently overworked, they are here developed with a gentleness which contrasts very favorably with the fatuous overemphasis which has marked a good many of the recent mocking revivals. In the tone of the whole one detects a quality which is almost literary, and one realizes that it is the result of a kind of sophistication quite different from that which is one of the virtues of the rowdy revue. This latter is the sophistication of those whose feeling for the language, manners, and moods of the contemporary noisy set is as extraordinary as their obtuseness where everything else is concerned. It is the sophistication of those who are as familiar with the intricacies of jazz rhythm as they are incapable of appreciating any other kind, and who are as accomplished in their use of slang as they are incompetent to handle any other idiom. But the author of the book of "Sweet Adeline" has, despite the familiarity of the plot material which he uses, a certain sensitiveness which can only be the result of what, for all the inappropriate portentousness of the word, we must call a kind of culture. Hence he can wander from the paths usually trodden by writers of revues without falling into that dull imbecility which is usually the only quality detectable in the work of the contemporary American librettist who aspires to operetta.

As for the talented performers, the most conspicuous are Helen Morgan and Irene Franklin. The former, and more recently renowned, gets all that it is possible to get out of mawkishly doleful ballads of the kind popular in the night clubs where broken hearts have been for some time exceedingly popular. The second, long famous on the vaudeville stage, exhibits a broader range, and her scene programmed as "Lulu Does Her Stuff" is quite the best thing of the whole evening. "Sweet Adeline" is obviously destined to last most of the season and it deserves to do so.

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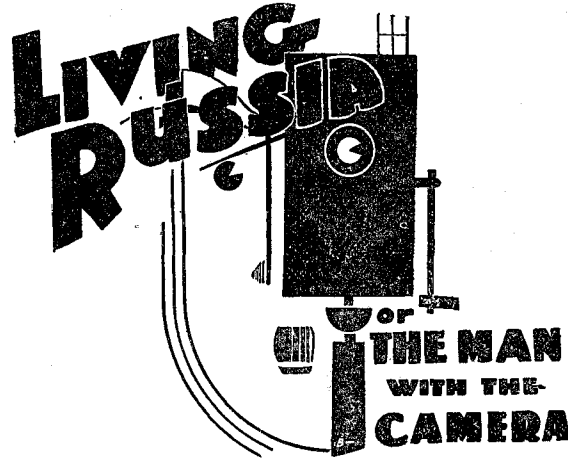
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